KEI MUA I TE AROARO O TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

BEFORE THE WAITANGI TRIBUNAL   **WAI 2750**

IN THE MATTER OF   the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF   Kaupapa inquiry into claims concerning Housing Policy and Services

CROWN BUNDLE OF EVIDENTIAL FACT SHEETS FOR KĀINGA ORA

5 Poutū-te-rangi | March 2021

CROWN LAW
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INDEX

	KĀINGA ORA
Tab	**Document**
1.	Accessibility Policy
2.	Anti-Social Behaviour Guideline
3.	Asset Management Strategy 2018-2028
4.	Assistance to Housing Independence Programme
5.	Anga Mahi Tahi, Tuitui Hoki - Partnership And Engagement Framework
6.	Auckland Housing Programme
7.	Bonds Policy
8.	Business Initiated Transfer Procedure
9.	Customer Placement process including pre-placement interview, suspensions and waivers
10.	Customer Strategy and Customer Programme
11.	Kāinga Whenua Loans
12.	Long-term Investment Plan
13.	Māori Strategy, Te Anga Whakamua, Te Au Roa
14.	Meth Policy (Policy for managing methamphetamine contamination of Kāinga Ora-managed properties)
15.	MyKāingaOra
16.	Red Hill Pilot
17.	Rural Housing Programme
18.	Strategic Plan 2017-2021 and Statement of Intent 2019/2023
19.	Sustaining Tenancies Draft Policy Suite

20.	Tenant Home Ownership Programme
21.	Te Waka Urungi
22.	Retrofit Programme

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EVIDENTIAL FACT SHEET

ACCESSIBILITY POLICY

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

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1.	**Basic information**	**Title of policy / programme**: Accessibility Policy
		Year introduced: 2019
		Still current?: Yes
		Administering agency(ies): Kāinga Ora-Homes and Communities (**Kāinga Ora**)
		High level summary of policy/programme: The Kāinga Ora policy on the accessibility of Kāinga Ora public housing properties for current and future customers.
		Overlapping/Related policies/programmes:
		• Customer Strategy and Customer Programme (see separate Evidential Fact Sheet)
		• Asset Management Strategy (see separate Evidential Fact Sheet)
		• Disability Action Plan 2019-2023 (Office for Disability Issues)
		• Accessibility Charter (MSD)
		• Homelessness Action Plan (see separate Evidential Fact Sheet).[1]
		Other agencies involved in development, implementation, or ongoing administration:
		The Office for Disability Issues has an all-of-government role in co-ordinating and overseeing agencies' regular reporting against the Disability Action Plan 2019-2023 work programme, of which the Kāinga Ora Accessibility Policy is a component.
2.	**Description of Policy / Programme**	The Accessibility Policy (the **Policy**) [**KAI.002.7549**] sets out the Kāinga Ora policy on the accessibility of Kāinga Ora public housing properties for current and future customers.
		The Policy is built around three outcomes, with a set of components under each:
		1) **Increase the number of Kāinga Ora homes that meet universal design standards,**[2] which involves:

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[1] The Accessibility Policy links to the Homelessness Action Plan because disabled New Zealanders are at greater risk of homelessness or housing insecurity than non-disabled New Zealanders, often because the available housing stock does not meet the needs of disabled people, especially in the private rental market. Kāinga Ora will contribute to the aims of the Homelessness Action Plan through the Accessibility Policy by better understanding its customers, as well as building the right kinds of homes to meet people's changing needs.

a. Reviewing and confirming the universal design standards.

b. Increasing the number of new builds built to universal design standards, with a target that at least 15 percent of public housing new builds will meet full universal design standards, and the rest will incorporate as many as possible of the other (basic) universal design features. As part of this objective, Kāinga Ora will ensure there are standardised universal design options for new builds.

c. For existing properties, work towards ensuring that existing homes can be retrofitted to include accessibility features that meet customer needs. This includes future work on investigating a target for retrofitted homes.

2) **Meet the individual needs of customers**, through modifications and specialised solutions.[3]

3) **Improve information about customers' needs and the accessibility of Kāinga Ora properties**, through (a) collecting and recording information about customers' needs; and (b) identifying and recording the accessibility features of Kāinga Ora properties.

The Policy makes a number of commitments, including that Kāinga Ora commits to active engagement with Kāinga Ora communities including the disability sector and recognises the integral place the disability sector has in Kāinga Ora communities.

The Policy identifies the main areas of work required to enable the Policy's outcomes to be achieved (see **KAI.002.7549** at p 43). This includes responding to stakeholders' feedback by continuing to research and establish cultural considerations and requirements as they relate to accessibility. This work is informed by the Kāinga Ora Partnership and Engagement Framework.[4]

Accessibility Policy prior to 2019

Accessibility standards

The fundamental difference between the pre-2019 environment and the Accessibility Policy is that the Accessibility Policy sets out actions and targets, based on engagement with the disability sector and Kāinga Ora customers. Prior to 2019, then Housing New Zealand Corporation (**HNZC**) had accessibility standards, but they were not monitored, and there were no targets or

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[2]   See M-134 Appendix B: Universal Design and Accessibility [**KAI.002.8437**].

[3]   The current funding model for disability housing modifications in New Zealand is that the Ministry of Health or ACC provide the vast majority of publicly available funding for housing modifications. The funding comes, respectively, from Vote Health and Vote ACC. The Ministry of Health and ACC both have eligibility criteria for the amount and type of disability housing modifications they will and will not fund. The Ministry of Health and ACC both also have eligibility criteria for who is eligible for their respective funding. Both ACC and the Ministry of Health allocate the funding to the disabled person needing the housing modifications, not the home they live in. Kāinga Ora therefore works with both the Ministry of Health and ACC, as well as their service providers, such as Enable, when Kāinga Ora customers need modification to their Kāinga Ora homes.

[4]   See separate Evidential Fact Sheet concerning the Kāinga Ora Partnership and Engagement Framework.

<table>
<tr><td></td><td></td><td>imperatives to improve the accessibility of Housing New Zealand's properties. HNZC also had not engaged with the disability sector about the standards used.

Access to modified housing

- *The Suitable Homes* Service (2001-2012): Between 2001 and 2012 **HNZC** (as it then was) operated the Suitable Homes Service, which assisted people with disabilities to find modified houses to rent and access funding to modify the home they may rent or own.[5] The Suitable Homes Service was terminated in 2012 as a result of the Minister's Letter of Expectations in 2011 which stated that HNZC should focus on its core business of managing the state house portfolio and its tenants [**KAI.002.6768**].

- *Support available between 2012 and 2019*: between 2012 and 2019, HNZC's role was limited to considering requests for modifications (which would be funded by the Minister of Health or ACC, see footnote 3). HNZC typically approved requests. If the property was unsuitable for modification, HNZC would look to transfer the customer to another property that was already modified or could be modified.</td></tr>
<tr><td>3.</td><td>**Outline of the process to develop this Policy / Programme**</td><td>The Accessibility Policy was developed in response to:

- The Minister of Housing and Urban Development's Letter of Expectations released in April 2019, which outlined the need to improve accessibility in Kāinga Ora homes [**KAI.002.6749**].

- New Zealand Disability Strategy 2016-2026[6] and the linked Disability Action Plan 2019-2023,[7] both of which identified the need to improve accessibility across the New Zealand housing system.

- The Kāinga Ora Customer Strategy, which identified that one third of Kāinga Ora customers reported that they are living with a disability.[8] Based on the New Zealand Disability Survey 2013, Māori and Pacific Peoples have higher than average disability rates.

The Accessibility Policy is informed by:</td></tr>
</table>

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[5]   The Suitable Homes Service was delivered by the Case Management Service, see Case Management Overview [**KAI.002.0429**] at p 5 and Te Waka Urungi, Social Support Referrals and Case Management Service EFS.

[6]   https://www.odi.govt.nz/assets/New-Zealand-Disability-Strategy-files/pdf-nz-disability-strategy-2016.pdf

[7]   https://www.odi.govt.nz/assets/Uploads/ODI-Disability-Action-Plan-2019-9-WEB-SINGLES.pdf

[8]   [**KAI.002.0587**] at p 41. Note, the Customer Strategy recorded that of the customers reporting a disability, one third are living with a physical disability. The remaining two thirds report psychological, psychiatric, or other conditions that generally require more intensive tenancy, social and medical support, rather than modified homes.

| | | An examination of existing internal Kāinga Ora resources. A literature review of international guidance and best practice. The World Health Organization's 2018 Housing and Health Guidelines.[9] A data research initiative in conjunction with Statistics New Zealand.[10] This Engagement with key internal and external stakeholders: see list of who Kāinga Ora talked to in developing the Policy **[KAI.002.7588]**, including, NGOs, for example, Kāpō Māri Aotearoa New Zealand Inc (who supports blind, low vision, vision impaired, deaf blind Māori and their whānau). The views, ideas, insights and lived experiences of Kāinga Ora tenants, their families/whānau and the communities they live in. This engagement happened through focus groups and interviews with disabled Kāinga Ora customers and their families/whānau conducted by a specialist external consultancy experienced in engaging with diverse communities on behalf of Kāinga Ora. External engagement occurred through the following: First Housing Accessibility Symposium in Auckland July 2019, which had 96 attendees. Session with Wellington stakeholders on 12 August 2019. This group included (but was not limited to) members from a number of NGOs, such as CCS Disability Action and the Muscular Dystrophy Society, as well as Capital and Coast District Health Board, and interested individuals. Feedback on the draft policy document was obtained from 24 external stakeholders. Second Housing Accessibility Symposium in two parts held online in July and August 2020, with approximately 100 attendees at the first session, and over 60 attendees at the second. The purpose of this symposium was to check back with stakeholders, after the release of the Policy. Kāinga Ora committed to ongoing engagement with the disability sector at the first Symposium in July 2019. Holding another Symposium approximately 12 months on from the first Symposium was part of that commitment to continue to meaningfully engage with stakeholders. |
| 4. | **Aims or Objectives of the** | The purpose of the Accessibility Policy is to create more accessible homes for Kāinga Ora customers. Accessibility means Kāinga |

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[9]   https://www.who.int/publications/i/item/9789241550376

[10]   See the Accessibility Policy Appendix E **[KAI.002.7549]** for results of this research.

	Policy / Programme	Ora homes make it easy for people to live in them with independence and dignity; to have family/whānau and friends visit; to have the opportunity to be part of the community they live in without barriers; for people to be safe in their homes.
5.	**Outline of monitoring and evaluation built in to Policy / Programme**	Kāinga Ora will begin reporting on its public housing new build commitments as part of the Accessibility Policy in the 2021/2022 financial year. The Accessibility Policy also has a direct reporting line, through six-monthly reporting to the Office for Disability Issues, to the Disability Action Plan 2019-2023, as aspects of the work programme sit within the agreed Disability Action Plan's cross-government actions. The Accessibility Policy will be reviewed on a regular basis to ensure it reflects the changing internal and external environments (but it has not been reviewed yet).

IN THE MATTER OF   the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF   Kaupapa inquiry into claims concerning
                         Housing Policy and Services

EVIDENTIAL FACT SHEET
ANTI-SOCIAL BEHAVIOUR GUIDELINE

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

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1.	Basic information	**Title of policy / programme:** Anti-Social Behaviour Guideline (**ASB Guideline**), including predecessor the Encouraging Good Neighbour Behaviour Policy (**EGNB Policy**). **Year introduced:** 2014 **Still current:** While elements of the ASB Guideline continue to inform aspects of Kāinga Ora – Homes and Communities' (**Kāinga Ora**) practice, it no longer reflects all the outcomes Kāinga Ora seeks to achieve when applying a sustaining tenancies approach. The ASB Guideline will be replaced by the (provisionally named) Managing Anti-Social Behaviour Policy which is being developed as part of the Sustaining Tenancies Draft Policy Suite. **Administering agency(ies)**: Kāinga Ora Homes and Communities (**Kāinga Ora**). **High level summary of policy/programme:** The ASB Guideline outlines the approach of Kāinga Ora to promoting good neighbour behaviour, preventing anti-social behaviour, resolving emerging anti-social behaviour and addressing serious anti-social behaviour among Kāinga Ora tenants. **Overlapping/Related policies/programmes:** Sustaining Tenancies Draft Policy Suite (see separate Evidential Fact Sheet).
2.	Description of Policy / Programme	**The Antisocial Behaviour Guideline** The ASB Guideline [**KAI.002.5822**] outlines four principles for addressing anti-social behaviour:[1] 1) *Promoting good neighbour behaviour:* Collaborating, partnering and developing strategic relationships with government and non government agencies; Facilitating a range of practical solutions and activities that encourage communities to connect positively to support each other; Acknowledging good behaviours when observed. 2) *Preventing Anti-Social Behaviour:* Setting the scene at the start of the tenancy by emphasising the sections in the Tenancy Agreement that relate to tenant responsibilities; Having courageous conversations immediately when behaviour is identified as not acceptable. 3) *Resolving emerging Anti-Social Behaviour issues*: Getting involved as soon as staff are aware there is an issue; Work on the root cause of the behaviour, to remedy the issue; Monitor progress against a Household Action Plan[2]

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[1]   Defined as "[a]ny behaviour by a tenant or tenant's family member or visitor that unreasonably interferes with another person or persons' right to the use and enjoyment of their home or neighbourhood".

4) *Addressing serious or ongoing Anti-Social Behaviour issues:* Steps will be taken to end the tenancy where the Anti-Social Behaviour is so serious that it cannot be rectified (for example assault on a staff member) or if the anti-social behaviour continues over a long period of time, without resolution.

Shift to a sustaining tenancies approach[3]

While elements of the ASB Guideline continue to inform aspects of Kāinga Ora practice, the document no longer reflects all of the outcomes Kāinga Ora seeks to achieve when applying a sustaining tenancies approach (which HNZC, as it then was, began to move towards in 2017). The most substantive change is around termination for anti-social behaviour. The ASB Guideline explicitly refers to ending a tenancy where anti-social behaviour is of high severity and/or is ongoing and unable to be resolved. The sustaining tenancies approach seeks to support customers to sustain tenancies wherever possible, with a greater focus on identifying the root of the problem and facilitating access to the right support providers.

The ASB Guideline will be superseded by the (provisionally named) 'Managing Anti-Social Behaviour Policy'. This policy is currently under development as part of the suite of 'Sustaining Tenancies' policies. The draft Managing Anti-Social Behaviour Policy is summarised in the intervention pathway at the end of the policy:[4]

- Kāinga Ora provides public housing to a wide range of customers who come to Kāinga Ora with some of the most complex and challenging life circumstances. While most live peacefully without any complaints, others need support to live well in their homes and communities.

- Kāinga Ora is committed to working with customers to achieve sustainable tenancies and strives to ensure they and their neighbours have quiet enjoyment of their homes. Kāinga Ora works with other agencies and community providers to help prevent and manage antisocial behaviour.

- When anti-social behaviour is brought to the attention of Kāinga Ora it will work through the notification with an assumption of innocence until it can ascertain all of the details. It will apply principles of natural justice by supporting all parties impartially though the process.

- Kāinga Ora will work with the complainant(s), the tenant and others (e.g. police) to document the different perspectives. If a claim is validated, Kāinga Ora will work with all parties to stabilise the tenancy. Steps to stabilise the tenancy include:

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2   Household Action Plans (HAP) were tailored plans for non Te Waka Urungi Kāinga Ora customers to help customers identify and achieve their long-term housing goals and enable customers to sustain their tenancy when they are facing difficulties. HAPs have been replaced by care plans, which perform a similar function and are used for both general and Te Waka Urungi customers (*see discussion of care plans in separate evidential fact sheet for Te Waka Urungi*).

3   See *separate Evidential Fact Sheet on Sustaining Tenancies Draft Policy Suite.*

4   [**KAI.002.6020**].

		- Seek to understand the customer/whānau and their wider circumstances to get to the root of the issues, building rapport and understanding; - Increase time and effort engaging with the customer; - Discuss support/options with other Kāinga Ora staff, including Te Waka Urungi. • Complex situations may require escalation to the Kāinga Ora Review Group. The review group will act as a cross regional forum to evaluate submissions from regions regarding complex tenancies and provide advice, alternative approaches and recommendations for next steps to assist with sustaining the tenancy. Where severe anti-social behaviour cannot be resolved and the Review Group is satisfied that all options have been explored and/or a tenant is unwilling to move to a more appropriate home, the Review Group may recommend Kāinga Ora seek an enforced transfer via the Tenancy Tribunal.[5] A decision to seek an enforced transfer must be made by the Chief Executive or Deputy Chief Executive – People and Homes and it is expected that requests for approval will be rare.
3.	**Outline of the process to develop this Policy / Programme**	The ASB Guideline is an update the EGNB Policy [**KAI.002.5814**], which was Housing New Zealand Corporation's (**HNZC**) policy for managing anti-social behaviour between 2009 and 2014. The EGNB policy was reviewed internally in 2014 [**KAI.002.5803**] and a number of recommendations for improvement were made, including simplifying the process to offer a clear step by step process graded according to the severity of the behaviour. Those recommendations were implemented in the ASB Guideline, which were introduced in 2014. Both the EGNB Policy and the ASB Guideline were developed internally by HNZC. Kāinga Ora has been unable to identify any evidence of any stakeholder engagement or engagement with Māori.
4.	**Aims or Objectives of the Policy / Programme**	The purpose of the ASB Guideline is to:[6] - help staff support tenants and resolve Anti-Social Behaviour issues; and - ensure the actions of HNZC/Kāinga Ora meet the requirements of the Residential Tenancies Act 1986.
5.	**Outline of monitoring and evaluation built in to Policy / Programme**	All actions and decisions made under the ASB Guideline are recorded in the Kāinga Ora Kotahi system.[7] All incidents that pose any form of threat must be reported in the Health, Safety and Security Incident Management System (Noggin) of Kāinga Ora and

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[5] An "enforced transfer" means Kāinga Ora would apply to the Tenancy Tribunal to terminate the current tenancy. If the customer is evicted, Kāinga Ora will hold a minimum of two alternative homes for the evicted customer to transfer to following the end of the current tenancy.

[6] See [**KAI.002.5822**] at part 2.1.

		the customer risk register.[8]
7.	**Availability of quantitative or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims**	Accurate records of evictions for anti-social behaviour prior to 2016 are not available because HNZC relied on manual record keeping. The available records indicate between 2010 to 2018 there were a total of 39 evictions for anti-social behaviour, however there may have been more than that. There is no ethnicity data regarding evictions. From 2014, when the ASB Guideline was introduced, there was a steady decline in evictions relating to anti-social behaviour. From 2018 to 2020 there were 0 evictions for antisocial behaviour from HNZC/Kāinga Ora Homes. [9]

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[7]   Kotahi is the Kāinga Ora core customer management system.

[8]   The customer risk register is used to record and identify hazardous customers who may pose a risk to Kāinga Ora staff, contractors, customers and the community. Each risk category has a corresponding control measure to ensure appropriate risk management strategies are put in place when interacting with such customers.

[9]   There was one eviction in 2018 under the category of Fraud.

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IN THE MATTER OF   Kaupapa inquiry into claims concerning
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EVIDENTIAL FACT SHEET

ASSET MANAGEMENT STRATEGY 2018-2028 (AMS)

(KAĪNGA ORA)

5 Poutū-te-rangi | March 2021

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1.	Basic information	**Title of policy / programme and dates introduced:** Asset Management Strategy 2018-2028 (**AMS 2018**) and predecessors.
		Date introduced: 2018
		Still current?: Yes
		Administering agency(ies): Kāinga Ora-Homes and Communities (**Kāinga Ora**)
		High level summary of policies/programme: The Asset Management Strategy articulates the strategic decisions made by the Kāinga Ora Board for managing the Kāinga Ora housing portfolio (including retrofitting, replacing and redeveloping assets).
		Overlapping/Related policies/programmes:
		• Strategic Plan (see separate Evidential Fact Sheet)
		• Long-term Investment Plan (see separate Evidential Fact Sheet)
		• Customer Strategy (see separate Evidential Fact Sheet)
		• Retrofit Programme (see separate Evidential Fact Sheet)
		• Public Housing Plan
2.	**Description of Policy / Programme**	The Asset Management Strategy outlines the strategic approach of Kāinga Ora for the management of its housing portfolio over the next ten years. The current Asset Management Strategy is for the 2018-2028 period [**KAI.002.0164**].[1] It articulates the following:
		- A focus on managing existing assets of Kāinga Ora in order to ensure tenants have access to dry, warm and safe environments that they can operate within their means. Sets aside between $400 - 450m per annum for maintenance, component renewal and capital improvements.
		- Kāinga Ora is starting a significant asset renewal period. Some 52,000 homes, or 86% of state housing, will require significant capital reinvestment in the next 30 years. AMS 2018 sets out a framework for determining the appropriate renewal response (retrofit, replace or redevelop) for these assets and puts in place the delivery of an accelerated renewal programme over the next 20 years to ensure that the portfolio lifecycle is reset, meaning Kāinga Ora homes will be warm, dry and economical to heat.

[1] See KAI.002.7673; KAI.002.0001; KAI.002.0053; KAI.002.0091; KAI.002.0112; and KAI.002.0244 for Asset Management Strategies from 2009.

- The growth response from Kāinga Ora. Demand pressures on Kāinga Ora are large, with 7,887 applicants on the Housing Register and a further 1,794 on the Transfer Register (i.e. a total of 9,681 on the Social Housing Register) as at March 2018. There is a strong need for immediate and enduring growth of public housing. Across Main Urban areas, Regional Centres, and Regional Hubs, Kāinga Ora intends to add an additional 11,000 state homes over the first ten years to 2027 (1,200 per annum for the first four years, then 1,100 per annum to year 10) and then grow to maintain current market share.[2] Kāinga Ora anticipates its market share in Regional Towns may reduce overtime through natural attrition.

Relationship with other key strategic documents

The Asset Management Strategy is part of the Strategic Framework of Kāinga Ora, which also includes the Strategic Plan, the Customer Strategy and the Long-Term Investment Plan. The Asset Management Strategy articulates how Kāinga Ora will achieve its asset management priorities identified in its Strategic Plan and manage its assets over the next ten years [**KAI.002.6107**], which include: increasing the pace and scale of housing supply; reducing the cost of building and, in turn, influence cost in the sector; and optimising the management of Kāinga Ora homes.

AMS 2018 is implemented through:

- The Asset Management Plan [**KAI.002.6097**], which records the intended capital and operational programmes for new and existing infrastructure; and

- Investment Plans, which translate strategic direction into an area view (typically at territorial local authority level, or multiple territorial local authorities), articulating demand, levels of service, approach and associated operational budgets.

Evolution of the Kāinga Ora strategic direction for asset management since 2009

The long-term key themes of the asset management strategies of Kāinga Ora/Housing New Zealand have been relatively consistent for the period of stage 1 of this Inquiry (post 2009), including:

- Matching homes to tenant needs.

- Maintaining the condition of homes.

- Upgrading homes to better meet needs.

- Growing to meet demand within available resources.

- Making best use of land holdings.

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[2] These figures are net increases.

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		- Divesting surplus or inappropriate assets - Co-ordinated efficient sustainable asset use and programmes. However, sector policy and customer needs have affected the rates of growth, renewal and sales during the period. For example, between 2013 to 2017 there was a period of divestment (including sales to tenants) in areas of low demand, particularly provincial and rural areas. Other significant changes to sector policy between 2013 and 2017 include: - Support for community housing providers, including portfolio transfers: Between 2013 to 2017 there were transfers of housing stock from Housing New Zealand to community housing providers. The two largest were the Tamaki Transfer and the Tauranga transfer. This was part of the broader social housing reform programme which established a statutory and policy framework for enabling other social housing providers to operate alongside Housing New Zealand. Other elements included opening eligibility for social housing and income related rent subsidy to community housing providers. (Refer to separate Evidential Fact Sheet on the Social Housing Reform Programme (SHRP).) - Changes to Social Allocation System Policy: In 2011, the Government made changes to the eligibility criteria for state housing and changed some of the weightings for the criteria. - Healthy Homes legislation and changes to the Residential Tenancies Act 1986. - Changes to building legislation, which have required upgrades to Public Housing stock – for example due to earthquake prone building standards. - New legislation to establish Kāinga Ora with new powers and responsibilities and legislation to protect the environment. **Impact of Covid-19** Covid-19 has delayed construction through disruption of supply chains and site shutdowns.
3.	**Outline of the process to develop this Policy / Programme**	As part of the process of developing AMS 2018, Kāinga Ora: - considered the data relating to demand for housing; current customer numbers and families; regional financial performance on housing portfolios; housing renewal data; utilisation of organisation assets; repairs and maintenance data; housing affordability in New Zealand; social housing register; - consulted with the Ministry of Social Development, Treasury and the Ministry of Business, Innovation and Employment on the draft AMS 2018; - modelled the priorities in AMS-2018 over a 30-year horizon, in the 2018 Long Term Investment Plan [**KAI.002.6391**]. The 30-year period was chosen because the majority of Kāinga Ora assets will reach major lifecycle decision points within the next thirty years (meaning decisions about whether to sell and replace, retrofit or develop the asset), and

		because of the focus on reconfiguration and growth over the period.
4.	**Aims or Objectives of the Policy / Programme**	AMS 2018 articulates six strategic goals [**KAI.002.0164**, at p 4 and p 48]:
		1. Kāinga Ora homes support customers to live well.
		- Customers are satisfied with their home.
		- Surveyed lettable homes that meet or exceed the baseline standard.
		2. Kāinga Ora homes form part of well-functioning communities.
		- Additional new homes built to modern standards in high demand areas.
		- Agreed community initiatives delivered within urban design standards.
		3. Kāinga Ora portfolio aligns to state housing demand and the Kāinga Ora market strategy.
		- Homes are let.
		- Alignment of portfolio additions to the Ministry of Social Development purchasing intentions.[3]
		- Homes meet tenant bedroom requirements.
		4. Kāinga Ora investment decisions respond to assets' lifecycle requirements.
		- Improve the effective age of stock.
		5. Kāinga Ora enables the delivery of market and affordable housing.
		- Delivery of market and affordable (in particular KiwiBuild) homes.
		6. Our portfolio is financially sustainable on a long-term basis.
		- Reduction in construction programme development costs.
		- Kāinga Ora activities are cash sustainable into the long term.
		- Incremental return on investment exceeds hurdles.
6.	**Outline of monitoring and evaluation built in to**	Kāinga Ora will assess its performance in meeting the goals outlined in AMS-2018 as part of the process of reviewing the Asset

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[3]   MSD sets the purchase intentions for the public housing sector.

	Policy / Programme	Management Strategy every two years (see **KAI.002.0164** from page 48).
7.	**Availability of quantitative or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims**	As noted at #6 above, Kāinga Ora assesses its performance against the Asset Management Strategy each time the strategy is refreshed. AMS-2018 assessed progress against a number of specific improvements identified in the 2016 Asset Management Strategy in AMS-2016 (see **KAI.002.0164** at Appendix B).

IN THE MATTER OF the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF Kaupapa inquiry into claims concerning
Housing Policy and Services

EVIDENTIAL FACT SHEET

ASSISTANCE TO HOUSING INDEPENDENCE PROGRAMME

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

CROWN LAW
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1.	**Basic information**	**Title of policy / programme**: Assistance to Housing Independence Programme
		Year introduced: 2011
		Still current?: No
		Administering agency(ies): Kāinga Ora - Homes and Communities (**Kāinga Ora**)
		High level summary of policy/programme:
		Pilot programme to identify barriers to achieving housing independence and test interventions to assist tenants already paying market rent or occupying a state rental too large for their needs to transition from state housing into the private rental market or home ownership.
		Overlapping/Related policies/programmes: Tenant Home Ownership Programme (see separate Evidential Fact Sheet).
2.	**Description of Policy / Programme**	The Assistance to Housing Independence programme was a pilot from September 2011 to 30 June 2012. It was a voluntary initiative aimed at tenants who were paying market rents and/or those occupying a state rental too large for their needs. The programme was designed to identify barriers to achieving housing independence and test interventions that may assist tenants transition from state housing into the private rental market or home ownership. Under the programme, Housing New Zealand Corporation (**HNZC**):
		- helped create individual plans for the transition;
		- identified expenses and offered financial support for meeting those expenses; and
		- offered education about independent living, the rental market and home ownership.
		The programme also included tenants who were occupying a state rental that was too large for their needs. Tenants in that situation could explore a move to a smaller home (transfer), which might reduce their market rent.
3.	**Outline of the process to develop this Policy / Programme**	Prior to the pilot, there was a 12-month test phase (October 2010-February 2011). At the conclusion of the test phase, HNZC contacted participants and asked for feedback on their experiences [**KAI.002.0251**]. Twenty-eight of the original tenant participants were able to be re-contacted. Housing New Zealand incorporated lessons learnt from the test phase into the pilot.

4.	**Aims or Objectives of the Policy / Programme**	The objectives of the policy were to transition tenants from state housing to the private rental market or owning their own home, when they are ready and capable, in order to free up social housing for high need customers.
5.	**Availability of quantitative or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims**	HNZC evaluated the pilot at its conclusion [**KAI.002.6233**]. Of the 570 tenants involved in the pilot, 73 were supported to move either to a private rental or to a state house that was more suitable to their needs. HNZ'Cs reasons for not rolling out the pilot including the following: - The pilot showed that the barriers to home ownership are varied for HNZ tenants, with many having to address other non-housing related debt and as such, it was felt that other policy instruments should be considered. - Thought was being given to the transfer of Social Allocation System/Income Related Rent management to MSD.[1]

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[1]   see the separate Evidential Fact Sheet concerning Social Allocation System and Income Related Rent (MSD).

IN THE MATTER OF   the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF   Kaupapa inquiry into claims concerning
                         Housing Policy and Services

EVIDENTIAL FACT SHEET

ANGA MAHI TAHI, TUITUI HOKI
(PARTNERSHIP AND ENGAGEMENT FRAMEWORK)

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

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1.	**Basic information**	**Title Of Policy / Programme:** Anga Mahi Tahi, Tuitui Hoki - Partnership And Engagement Framework (**PEF**)
		Year introduced: 24 November 2020
		Still current?: Yes
		Administering agency(ies): Kāinga Ora-Homes and Communities (**Kāinga Ora**)
		High level summary of policy/programme: The PEF outlines the Kāinga Ora approach to partnering and engaging with Māori, customers, communities and stakeholders. The PEF is in its initial stages of implementation.
		Overlapping/Related policies/programmes:
		• Māori Strategy and Te Anga Whakamua (see separate Evidential Fact Sheet)
		• Kāinga Ora-Homes and Communities Act 2019 (see separate Evidential Fact Sheet)
		• Strategic Plan 2017-2021 and Statement of Intent 2019/2023 (see separate Evidential Fact Sheet)
		Other agencies involved in development, implementation, or ongoing administration:
		• Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development (HUD)
		• Te Puni Kōkiri (TPK)
		• Te Arawhiti
2.	**Description of Policy / Programme**	The Partnership and Engagement Framework [**KAI.002.7997**][1] outlines the approach Kāinga Ora takes to partnering and engaging with external stakeholders and partners including Māori. It contains a set of principles to guide all Kāinga Ora external engagement and partnering activity and integrates specific principles for partnering and engaging with Māori. The PEF is intended to reflect Te Tiriti o Waitangi principles when engaging with Māori.
		The engagement principles identified in the PEF are:
		• Respect and Tikanga: We respect kawa and tikanga and our interactions are mana enhancing. Our relationships are based on mutual respect.
		• Manaakitanga and Trust: We build relationships based on confidence, competence and goodwill.

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[1] Note, this is version of the Partnership and Engagement Framework approved by the Kāinga Ora Board. The final external version is currently being prepared. The final version will include a foreword and will be in both English and te reo Māori. Otherwise the final version will be the same as the version approved by the Kāinga Ora Board.

- Participation and Tino Rangatiratanga: We support everyone to participate actively and equitably in matters that are important to them.
- Whakawhanaungatanga, Genuine and Meaningful engagement: We will make time for whakawhanaungatanga. We are in this for the long-term and building relationships is central to our business.
- Mōhiotanga and Early Communication: We communicate clearly and early and provide all the information so people can participate effectively.
- Openness, Transparency and Māramatanga: We will be clear about what we are trying to achieve, the scope of our engagement and the potential for people to influence outcomes.
- Whai Whakaaro, Responsive and Flexible: We will listen and be adaptable in our engagement approach.

The partnership principles identified in the PEF are:

- Mahi Tahi and Partnership: Our partnerships are based on good faith and willingness to work together to achieve shared goals and outcomes.
- Reciprocity and Ako: Our relationships are based on a genuine intention to strengthen relationships and we will work together effectively.
- Respect and Tikanga: We will respect each other's tikanga and our interactions are mana enhancing. Our relationships are based on mutual respect.
- Trust and Manaakitanga: We build relationships based on confidence, competence and goodwill.
- Participation, Tino Rangatiratanga and Whakamana: We support everyone to participate actively and equitably in matters that are important to them.
- Active Protection and Tuku iho: We will protect Māori property interests and recognise and provide for taonga.
- Support existing and future Crown redress and Te Whakatika Hapa: We acknowledge past wrongs and the right of redress.

Each of these principles include an explanation of how Kāinga Ora will apply the principles generally, and with specific regard for Māori. For example, an application of the principle mahi tahi and partnership, Kāinga Ora undertakes to "*ensure our processes enable Māori to exercise rangatiratanga in the management and decision-making of their own affairs in accordance with tikanga Māori.*" A key part of the PEF is that Māori are identified as an enduring partner of Kāinga Ora.

Implementation phase

The next phase of the PEF is the implementation phase, including:

<table>
<tr><td></td><td></td><td>

- integrating the PEF into operational policy, planning lifecycles such as Regional Investment Plans, through to the delivery of projects and ongoing relationship building in the regions; and
- developing detailed guidance, tools, methods and approaches that integrate partnership and engagement activity into each business group.

The implementation programme is in the early stages of development and will be co-designed with Māori. Kāinga Ora is currently working through the planning for the co-design process to occur and expects the implementation programme will continue for at least 12 months.

Relationship with other policies and programmes

Work is underway in developing the Māori Strategy, a broad all-encompassing strategy for Kāinga Ora to deliver for Māori (refer separate evidential fact sheet on the Māori Strategy). A core component of the Māori strategy will be how it is operationalised, which will guide Kāinga Ora staff when engaging and partnering with Māori, iwi and rōpū Māori specifically. Kāinga Ora intends that engagement and implementation approaches under the Māori Strategy and the PEF will be aligned. In addition, a Mātauranga Māori Programme is being developed to build the capability and capacity of Kāinga Ora as an organisation to be a proactive and responsive partner with Māori.
</td></tr>
<tr><td>3.</td><td>**Outline of the process to develop this Policy / Programme**</td><td>

Kāinga Ora engaged with iwi and rōpū Māori in the development of the PEF and as part of the engagement on the Māori strategy, including with the Tāmaki Mana Whenua Forum and Ngati Whakaue Tribal Lands.[2]

Kāinga Ora also engaged with other government agencies (Te Tūāpapa Kura Kāinga, Te Puni Kokiri and Te Arawhiti, Waka Kotahi (NZTA), Te Kahui Kaunihera ō Aotearoa (LGNZ) Te Kaunihera o Tāmaki Makaurau (Auckland Council), Ōtautahi (Christchurch City Council) Te Rotorua-Nui-A-Kahumatamomoe (Rotorua Lakes District Council).
</td></tr>
<tr><td>4.</td><td>**Aims or Objectives of the Policy / Programme**</td><td>

The purpose of the PEF is to guide Kāinga Ora in developing consistent best practice in its partnering and engagement activities. It will assist Kāinga Ora to develop and expand its capability, finding innovative ways of working with Māori, communities and the housing sector. By applying the principles in the PEF, Kāinga Ora seeks to demonstrate a genuine commitment to carry out its role in a way that builds mutual trust and respect and deep and enduring relationships.
</td></tr>
<tr><td>5.</td><td>**Outline of steps taken to implement the Policy / Programme**</td><td>

The PEF was adopted by the Kāinga Ora Board on the 24 November (see Board paper [**KAI.002.7980**]). The PEF is intended to start implementation in March 2021.
</td></tr>
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[2]   See summary of external and internal feedback on the draft Partnership and Engagement Framework **KAI.002.7992.**

6.	**Outline of monitoring and evaluation built in to Policy / Programme**	The PEF will be monitored and evaluated as part of the Legislation Implementation Programme.[3] There will be iterative evaluation with Māori throughout the implementation of the PEF and the document will be reviewed after 12 months

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[3] The Legislation Implementation Programme supports the implementation of the new legislative frameworks for Kāinga Ora. There are two aspects to the programme: (1) Undertaking identified initiatives to align the organisation to its legislative obligations, until those responsibilities can be homed in to new functions created through Shaping Kāinga Ora; (2) Supporting other initiatives in Kāinga Ora to achieve that alignment.

KEI MUA I TE AROARO O TE RŌPŪ WHAKAMANA
I TE TIRITI O WAITANGI

BEFORE THE WAITANGI TRIBUNAL   WAI 2750

IN THE MATTER OF   the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF   Kaupapa inquiry into claims concerning
                          Housing Policy and Services

EVIDENTIAL FACT SHEET

AUCKLAND HOUSING PROGRAMME

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

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1.	**Basic information**	**Title of policy / programme**: Auckland Housing Programme
		Year introduced: 2016
		Still current?: In June 2020 the Auckland Housing Programme ceased being a standalone programme. However, the objectives of the programme (increasing supply) are now embedded Nationally through other programmes/polices.
		Administering agency(ies): Kāinga Ora – Homes and Communities (**Kāinga Ora**)
		High level summary of policy/programme:
		The Auckland Housing sought to grow social and affordable housing in Auckland and replace existing social housing with places that are the right size, configuration and location for social housing tenants.
		Overlapping/Related policies/programmes:
		• Asset Management Strategy (see separate Evidential Fact Sheet)
		• Social Housing Reform Programme (see separate Evidential Fact Sheet)
		• RightSize Programme (see separate Evidential Fact Sheet)
		Other agencies involved in development, implementation, or ongoing administration:
		• Ministry of Social Development
		• The Treasury
2.	**Description of Policy / Programme**	The Auckland Housing Programme sought to accelerate housing supply from Housing New Zealand Corporation (**HNZC**) (as it was at the establishment of the programme) owned land and grow the volume of new supply through development of its land holdings. It was identified that HNZC's land holdings in the Auckland region had significant development potential under the Auckland Unitary Plan. The existing dwellings are old and costly to maintain, and their configuration is increasingly misaligned with the characteristics of current and expected social housing demand. HNZC expected to achieve lower construction costs through increasing the proportion of new housing, and expanding development at a much higher volume.
		A large portion of the Auckland Housing Programme redevelopments were identified as "brownfields" sites, that require the rehousing of tenants and the clearing of previously occupied land in order to redevelop. This required HNZC to work with Auckland Council to address infrastructure requirements, and a reconfiguration of HZNC's portfolio in order to meet the most

need.

The programme looked to not only create more state housing, but more homes for first home buyers and a greater overall supply to meet the growing populations need. A focus was on creating healthy homes, the construction of which will create more competition and innovation in the home construction market.

Projects

Kāinga Ora is currently delivering five large scale projects (**LSPs**) across Auckland:[1]

- *Northcote:* The Northcote Development plan seeks to replace approximately 310 existing public homes with approximately 470 new public homes and enable the delivery of more than 1000 more affordable and market homes.

- *Roskill :* The Roskill Development plan seeks to replace approximately 2,730 existing public homes with over 4,390 new public homes and enable the delivery of more than 6,500 affordable and market homes.

- *Mangere:* The Mangere Development plan seeks to replace approximately 2,571 existing public homes with over 5,000 new public homes and enable the delivery of more than 5,000 affordable and market homes.

- *Oranga*: The Oranga Development plan seeks to replace approximately 410 existing public homes with 430 new public homes and enable the delivery of 790 affordable and market homes.

- *Tamaki*: The Tamaki Development plan seeks to replace approximately 2300 existing public homes with over 3,200 new public homes and enable the delivery of over 6,500 affordable and market homes.

In addition, to the above projects:[2]

- In Auckland between 2016/17 and 2019/20: Over 2,000 new homes were built; Over 1,000 homes were purchased; over 800 homes were leased.

- The Hobsonville Point development which Kāinga Ora is also responsible for is expected to conclude its delivery of around 4,500 homes in 2024.[3]

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[1] The LSPs are in areas with large number of public houses that are reaching the end of their useful life and in communities that experience high levels of social deprivation. These are significant urban regeneration projects which will improve outcomes in deprived neighbourhoods and provides opportunities for intensification in strategically important areas of Auckland.

[2] See **[KAI.002.8098]** (2018/19 Annual Review of Housing New Zealand).

[3] The Hobsonville Point development began before the commencement of the Auckland Housing Programme, so it not technically part of the Auckland Housing Programme, although it has similar objectives.

		Predecessor to the Auckland Housing Programme The Auckland Housing Strategy 2009-2029 [**KAI.002.2198**] was Housing New Zealand's response to the Global Financial Crisis, which had resulted in lower growth, tightening credit availability and rising unemployment impacting Auckland's economy over the short to medium term. It set the vision and strategy for Auckland with a focus on ramping up the HNZC development programme. Key projects implementable at that time included Tamaki and Hobsonville. Before initiating wider change to its portfolio (and achieve its redevelopment aspirations) in Auckland HNZC had to work with Council to restructure the district plan for Auckland to make it work better from a housing enablement perspective. Unitary plan development started in 2010 and the plan went live in 2016.[4] Over this same 2010-2016 period some strategic focus and resource shifted to HNZCs Canterbury earthquake recovery plans. The Auckland Housing Strategy was superseded by the Auckland Housing Programme. **Current status of the Auckland Housing Programme** In June 2020 the Auckland Housing Programme ceased being a standalone programme. However, the objectives of the programme (to increase supply across social, rental and owner/occupier housing) remain priorities for Kāinga Ora, and have been extended throughout New Zealand (*see Asset Management Strategy Evidential Fact Sheet*). The LSPs outlined above are ongoing.
3.	**Outline of the process to develop this Policy / Programme**	In 2014 the Government communicated its expectation of a significant increase in the scale and pace of both social and affordable housing supply in Auckland. The key objectives came from Government decisions (CAB Min [14 39/22]) on the Social Housing Reform Programme to:[5] • increase the supply of social and affordable housing, particularly in Auckland, and • ensure that dwellings for social housing tenants are of the right size and configuration, and in the right areas, for the households that need them. In 2015 there was a strategic review of HNZC that looked at changes that might be required to meet Crown objectives. This led to: • the purpose and functions of HNZC's subsidiary Hobsonville Land Company (HLC), to grow beyond the Hobsonville Point Development, into a further expanded delivery role; and

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[4]   The unitary plan enabled the Auckland Housing Programme and the initiation of significant large-scale projects for Mangere, Mt Roskill, Oranga and Northcote.

[5]   See CAB Min 14 39/22 [**MSD.004.0435**] and *Social Housing Reform Programme Evidential Fact Sheet*.

		• the establishment of the governance and commissioning entity the Auckland Committee, a sub-committee of the HNZC. This board was responsible for the implementation of the Phase One of the Auckland Housing Programme (for the period 2016/17 – 2019/20). In 2016 Housing New Zealand prepared a Phase One Business case, developed to reflect options within the housing policy setting at that time, land availability, and financial performance expectations [**KAI.003.1315**] The Auckland Housing Programme was developed to align with the Ministry for Social Development Purchasing Strategy 2016, and the business case was developed to respond to 50 percent of the Ministry of Social Development's 2015 Purchasing Strategy (see [**KAI.002.2189**] at [22]. Funding for Phase One was approved by Cabinet in March 2017. There was no direct engagement with Māori on the Phase One Business case. However, HNZ/Kāinga Ora have engaged with affected iwi in the context of the specific LSPs.
4.	**Aims or Objectives of the Policy / Programme**	The aims of the Auckland Housing Programme were to: • Accelerate housing supply from Housing New Zealand owned land – including social, 'affordable' and market housing supply • Increase the proportion of new housing delivered at lower prices. • Rehouse (existing) tenants to allow redevelopment on Housing New Zealand land. • Reconfigure Housing New Zealand's portfolio to meet the most need, away from traditional three-bedroom family homes and towards more smaller one and two bedroom and larger four plus bedroom properties. • Maintain overall returns from the Housing New Zealand portfolio (i.e. new developments meet the Corporation's investment 'hurdle rate' based on its average cost of capital, forecast development costs, and expected future revenues from the sale of surplus land and rental income from social housing). • Ensure efficient use of Housing New Zealand land.
5.	**Outline of monitoring and evaluation built in to Policy / Programme**	The Auckland Committee (discussed above) was responsible for monitoring progress and performance under the AHP against agreed financial and delivery metrics and timeframes. The Auckland Committee has now been disestablished, however Kāinga Ora has programme governance boards in place that monitor the delivery of the LSPs within their programme approvals.
6.	**Availability of quantitative**	See figures above in description section under the heading "projects".

	or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims	Note, Phase 1 of the AHP resulted in an overall increase in social homes greater than what was set out in the Phase One Business Case, however the delivery of the affordable and market homes during this period has taken longer than anticipated. This has been due to a number of factors including infrastructure capacity constraints which has added significant unanticipated costs to the projects and the growing housing waitlist which resulted in Kāinga Ora focussing on delivering additional public housing more urgently. It is anticipated that the affordable and market homes set out in the Business Case will still be delivered, however over a longer period.

IN THE MATTER OF	the Treaty of Waitangi Act 1975
AND	
IN THE MATTER OF	Kaupapa inquiry into claims concerning Housing Policy and Services

EVIDENTIAL FACT SHEET
BONDS POLICY

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

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1.	**Basic information**	**Title of policy / programme**: Bonds Policy
		Year introduced: 2019
		Still current?: Yes
		Administering agency(ies): Kāinga Ora – Homes and Communities (**Kāinga Ora**)
		High level summary of policy/programme: Since 7 April 2019, Kāinga Ora no longer collects bonds from new tenants.
2.	**Description of Policy / Programme**	Kāinga Ora (then Housing New Zealand Corporation (**HNZC**)) stopped collecting bonds from new tenants from 7th April 2019.[1]
		Bonds policy prior to 7 April 2019
		Prior to the implementation of the Bonds Policy, HNZC would charge two week's income related rent (IRR) as bond, but not full market rent bond (unless the tenant was a full market renter). Occasionally, at the discretion of an Area Manager, HNZC would not charge a bond in individual cases, but this was rare.
3.	**Outline of the process to develop this Policy / Programme**	The Bonds Policy was developed because HNZC was aware often tenants cannot easily pay a bond at the beginning of a tenancy, and that the bond requirement was creating financial stress. Historically, the Ministry of Social Development (**MSD**) often paid the bond on behalf of the tenant, which meant the tenant then had a debt with MSD.
		HNZC consulted with MSD and the Ministry of Business, Innovation and Implement (MBIE) on the decision not to collect bonds with tenants. MBIE were consulted because they are responsible for holding all bonds lodged, managing claims on the bond by HNZC and returning the bond to tenants. The decision of Kāinga Ora not to charge a bond frees up both MSD and MBIE employees for other activities.
4.	**Aims or Objectives of the Policy / Programme**	The purpose of the Bonds Policy is to provide access to HNZC/Kāinga Ora housing, without the stress of financial barriers.

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[1] See Bonds Policy T-259 [**KAI.002.5889**]. Note, the implementation date (21 January 2019) recorded in the policy is incorrect. Seven April 2019 was the official date for the non-collection of bonds.

KEI MUA I TE AROARO O TE RŌPŪ WHAKAMANA
I TE TIRITI O WAITANGI

BEFORE THE WAITANGI TRIBUNAL   **WAI 2750**

IN THE MATTER OF   the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF   Kaupapa inquiry into claims concerning
                             Housing Policy and Services

EVIDENTIAL FACT SHEET
BUSINESS INITIATED TRANSFER

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

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1.	**Basic information**	**Title of policy / programme:** Business Initiated Transfer Procedure (**BIT Procedure**)
		Year introduced: 2006
		Still current?: Yes
		Administering agency(ies): Kāinga Ora – Homes and Communities (**Kāinga Ora**)
		High level summary of policy/programme: Procedure for Kāinga Ora to transfer a tenant to another Kāinga Ora home where there is a business reason for transfer.
		Overlapping/Related policies/programmes:
		• Customer Strategy (see separate Evidential Fact Sheet)
		• Asset Management Strategy (see separate Evidential Fact Sheet)
		• Anti-social Behaviour Guideline (see separate Evidential Fact Sheet)
		• Customer Placement (see separate Evidential Fact Sheet)
2.	**Description of Policy / Programme**	The BIT procedure is used where Kāinga Ora requires a tenant to move out of a Kāinga Ora home for business reasons. Business reasons include:[1]
		• A property is required for redevelopment or other asset related matters (for example, will require vacating to permit works for earthquake strengthening).
		• A lease expiry notice requiring Kāinga Ora to release the property back to the owner.
		• A property is required for sale or compulsory acquisition for example, New Zealand Transport Authority roading requirements.
		• A modified property which is occupied by a household who no longer require the modifications and the property could be matched to a more suitable applicant.
		• Where a tenant requires modification or further modification to their current property but this is not possible or desirable

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[1]   See Tenant Transfer Guidelines [**KAI.002.0378**], which record the BIT procedure.

		either due to the constraints of the property or business constraints (for example, tagged for future redevelopment/ divestment).
		• A property is identified for divestment purposes (that is, the property no longer meets the social, environmental and financial objectives of the business).
		• A property is considered uninhabitable (for example, due to natural disaster or fire) and there is available alternative accommodation in that area immediately.
		• Where, in line with the anti-social behaviour policy and process, it has been approved by a regional manager that a BIT would enable the resolution of an anti-social behaviour issue within a neighbourhood or household.
		• Prompt transfers of new tenants who have been placed in incompatible accommodation in unforeseen circumstances through no fault of their own.
		• A property where Kāinga Ora wishes to better match the current tenant if they are under-utilising bedrooms.
		• A property where Kāinga Ora wishes to better match the current tenant if the home is overcrowded.
		Under the BIT procedure, the tenant is placed in another Kāinga Ora property, without needing to re-apply for housing and being placed on the MSD housing register. Kāinga Ora policy is that tenants should not be out of pocket due to a BIT move and that all reasonable costs will be met by the business (currently based on circa $1000 per move).
3.	**Outline of the process to develop this Policy / Programme**	Prior to the development of the BIT Procedure in 2006, (then) Housing New Zealand did not have a formal procedure for supporting customers when it was necessary for them to relocate for business reasons. The BIT Procedure was developed in response to tenant feedback and a number of complaints in the media.
4.	**Aims or Objectives of the Policy / Programme**	The purposes of the BIT procedure are: (1) to enable Kāinga Ora to manage its assets to meet social housing demand; and (2) to support customers through the transfer process, recognising that it is a difficult time for customers, including: (a) ensuring customers affected by a business initiated transfer are treated fairly and consistently; and (b) ensuring tenants are housed in suitable properties.

5.	**Outline of monitoring and evaluation built in to Policy / Programme**	Kāinga Ora provides updates on business initiated transfers in weekly updates to relevant in-house teams (e.g. the relevant Tenancy Manager and Asset Manager). These updates include, for example, how many tenants need to be relocated, the current status of in-flight moves, as well as upcoming potential moves required.

IN THE MATTER OF	the Treaty of Waitangi Act 1975
AND	
IN THE MATTER OF	Kaupapa inquiry into claims concerning Housing Policy and Services

EVIDENTIAL FACT SHEET

CUSTOMER PLACEMENT, INCLUDING PRE-PLACEMENT INTERVIEW, SUSPENSIONS AND WAIVERS

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

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1.	Basic information	**Title of policy / programme and years operational**
		Customer Placement process, outlined in:
		• Customer Placement Guidelines: current version introduced 2019, still current.
		• Operational Policy for Pre-placement Interview: introduced in 2017, trialled in April 2018 and rolled out nationwide in late 2018/early 2019, still current.
		• Suspension and Waiver Guidelines: introduced in 2011, discontinued in 2018.
		Administering agency(ies):
		Kāinga Ora – Homes and Communities (**Kāinga Ora**)/Housing New Zealand Corporation (**HNZC**)
		High level summary of policy/programme:
		The Customer Placement Guidelines outline how Kāinga Ora matches applicants from the social housing register (managed by the Ministry of Social Development (**MSD**)) to available properties. Where Kāinga Ora requires additional information to that provided by MSD in order to match an applicant, Kāinga Ora carries out a pre-placement interview. Kāinga Ora's suspension and waiver policies address the circumstances where a customer's eligibility for Kāinga Ora housing may be suspended and when a suspension may be waived.
		Overlapping/Related policies/programmes:
		• Social Allocation System (see separate Evidential Fact Sheet (MSD))
		• Business Initiated Transfer (see separate Evidential Fact Sheet)
		• Anti-social Behaviour Guideline (see separate Evidential Fact Sheet)
		• Sustaining Tenancies Draft Policy Suite (see separate Evidential Fact Sheet)
		• Customer Programme (see separate Evidential Fact Sheet)
		Other agencies involved in development, implementation, or ongoing administration:
		• Ministry of Social Development
		• Ara Poutama Aotearoa – Department of Corrections

2.	**Description of Policy / Programme**	**Customer Placement Guidelines[1]** The Customer Placement Guidelines outline how Kāinga Ora matches applicants from the social housing register, consistent with its role and responsibilities under the Public and Community Housing Management Act 1992. They begin with an overview of the Customer Placement Process, which explains that management of public housing is shared between the MSD and Kāinga Ora. MSD identifies an applicant's housing requirements as part of their needs assessment, and manages the social housing register. Kāinga Ora matches applicants from the social housing register to available properties, manages tenants, and maintains the stock of state houses. Matching applicants to properties is done through Kāinga Ora's tenancy management system (Kotahi) which is integrated with MSD's social housing register. The Placement Team within Kāinga Ora make matches and offers to prospective tenants using the information sent through by MSD. Kāinga Ora also maintains the Business Initiated Transfer (**BIT**) register - an internal list of tenants requiring alternative housing due to Kāinga Ora business decisions. Tenants on the BIT register are usually considered for vacant properties before applicants on the MSD register. Placement of applicants into Kāinga Ora properties is based on location, bedrooms required and other property characteristics. Applicants with the highest need are matched first, except in exceptional circumstances. Following matching, a Placement Support Specialist will make contact with the applicant to discuss the property offer. If the applicant declines the offer, Kāinga Ora will discuss the applicant's reasons for declining the property with them. If, after discussion with the applicant, Kāinga Ora still considers the property offered is suitable, the Placement Support Specialist will record the offer as declined (and record the reason stated by applicant). Where the offer is not considered a suitable match, the Placement Support Specialist will record the outcome as withdrawn. MSD will reconsider declined offers for applicants on the MSD register where there is not a good or sufficient reason for the applicant's decision.[2] The Placement Guidelines [**KAI.002.1029**] outline Kāinga Ora's policy in relation to applicants with particular requirements. For example, there is a special process for applicants who are in immediate need of housing in high demand areas with few or no alternative options, intended to fast track the provision of housing in those cases.[3] **Operational Policy for pre-placement interviews[4]** Since August 2017 (with full roll out in February 2019), Kāinga Ora Placement Support Specialists have sometimes conducted pre-

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[1]   see T-245 Placement Guidelines [**KAI.002.1029**].

[2]   Operationally, MSD attempts to be accommodating on what constitutes a "good and sufficient" reason. Examples include where a property is too far from a child's school or the client's work. See separate evidential fact sheet on the Social Allocation System.

[3]   Note, some of the specific processes outlined for applicants with particular requirements in the guidelines are out of date, however the general principles remain.

[4]   see T-137 Operational Policy for Pre-placement Interview [**KAI.002.1016**]).

placement interviews to gather additional information to supplement that provided by MSD. Interviews may be conducted where (for example) the MSD application notes health and safety events, that the applicant has been trespassed, or the applicant has a known history of serious criminal convictions. Information gathered during pre-placement interviews assists Kāinga Ora to make better informed placements, identify what support applicants may need to sustain their tenancies and gain a better understanding of what health and safety risks applicants may present (to then consider what mitigations can be put in place to minimise those risks).

Suspension and Waiver Guidelines[5] (2011-2018)

Suspensions

Between 30 November 2011 and mid-2018, Housing New Zealand Corporation's (**HNZC**) policy was that a tenant, former tenant, or another person residing at or associated with the tenancy may have their ability to be considered for a HNZC home suspended for a period of one year for one or more of the following reasons:

- serious and/or repeated anti-social behaviour (including unlawful activity);

- a serious breach of their tenancy obligations; or

- a serious Income Related Rent debt (pre-14 April 2014).

Suspension was not intended as a punitive measure. HNZC would consider:

- the customer's circumstances;

- the safety and interests of the community including other tenants, neighbours and HNZC staff, contractors or agents;

- HNZC and the Crown's financial interests.

Decisions to suspend were required to be lawful, reasonable, fair, transparent and consistent and the rules of natural justice applied.

A person who was suspended from being considered for a HNZC property could be placed on the MSD social housing register for social housing with other providers.

Waivers

If a suspended customer wanted to obtain state housing again within the suspension year, they could apply for their suspension to be waived on the grounds of housing related hardship. In considering whether or not to grant a waiver to customers having housing hardship, the Chief Executive of HNZC or a delegated staff member would take into account the following factors:

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[5]   see T-234 – Suspension and Waiver Guidelines KAI.002.1704

		• the severity of the housing related hardship;
		• a demonstrated commitment to co-operate with HNZC, and other agencies where appropriate;
		• a demonstrated commitment to repay debt;
		• proven changes in behaviour/circumstances.
		Current suspension policy
		In late 2017 HNZC began its shift towards a sustaining tenancies approach (see Sustaining Tenancies Draft Policy Suite Evidential Fact Sheet), acknowledging the broader social cost when a tenant (and possibly their family) were evicted with no home to go to. In January 2018, the sustaining tenancies pilot was launched and HNZC began reviewing its suspensions policy to align it with the sustaining tenancies approach. There are tensions between being a responsible landlord, as set out in the Residential Tenancies Act, meeting employee Health, Safety and Wellbeing obligations and sustaining tenancies, so the formal policy work to move away from suspensions did take some time. By June 2018 HNZC had stopped issuing suspension notices and were lifting suspensions, with delegation and role changes to support these changes. The interim sustaining tenancies policy suite, which allows for re-location but not suspension, was agreed in 2020 (refer to Sustaining Tenancies Evidential Factsheet).
3.	**Outline of the process to develop this Policy / Programme**	*Customer Placement Guidelines* The Customer Placement Guidelines were developed internally by HNZC. The Ministry of Social Development was consulted on an earlier iteration of the Guidelines in 2015. There was no external engagement with Māori or other external engagement on the development of the Customer Placement Guidelines. *Operational Policy for Pre-placement Interview* Pre-placement interviews were trialled for one month in April 2018 in the Ellerslie and Otara area offices, before being rolled out across Kāinga Ora's offices in late 2018/early 2019 (See discussion of the results of the trial in #6 below). The learnings from the trial were taken into account in the development of the final policy. *Suspensions and waivers* The suspensions and waivers policy followed a decision by the Cabinet Social Policy Committee in April 2011 [**KAI.002.8126**]. There was no external engagement with Māori or other external engagement on the development of the policy. *Future development*

		Kāinga Ora's Customer Placement process, including pre-placement interviews are being reviewed as part of the Customer Programme (refer Customer Programme Evidential Fact Sheet).
4.	**Aims or Objectives of the Policy / Programme**	*Customer Placement Guidelines and Operational Policy for Pre-placement Interview* The purpose of the placement process is to match customers to suitable properties. The purpose of pre-placement interviews is to improve the quality of Kāinga Ora's customer placements, including identifying additional supports applicants may need to sustain their tenancies. *Suspensions/waivers* The objective of the suspension/waiver policy was to enable HNZC to protect its financial interests and incentivise the customer to moderate their behaviour and fulfil their tenancy obligations (while also following the rules of natural justice and considering the customer's particular circumstances).
5.	**Outline of monitoring and evaluation built in to Policy / Programme**	Kāinga Ora monitors and reports regularly to Regional Director Management Teams on (for example) how many applicants/customers are housed (and from what register), the number of pre-placement interviews completed, and how long the placement process takes (between the application and the customer being housed). HNZC recorded information about suspensions and waivers, including ethnicity, set out in the below table:

		Ethnicity Flag							
Fin Year	Party Suspended	Asian	European	Maori	MELAA	Other	Pacific People	Residual	Suspension Waived
2012	29	-	7	16	-	-	11	-	-
2013	44	4	4	21	1	1	16	-	-
2014	132	-	38	67	3	5	29	5	1
2015	257	5	92	121	3	4	59	15	2
2016	563	2	163	305	5	8	108	43	1
2017	287	2	66	167	1	6	55	28	-
2018	42	-	11	18	-	2	10	5	-
2019	2	-	1	1	-	-	-	-	-
Total	1,356	13	382	716	13	26	288	96	4

In the 2018/19 financial year there were two suspensions according to Kāinga Ora records. In June 2018 all suspensions were lifted and no more were applied except for the two cases explained below:

- Post June 2018 one suspension was applied in error, Kāinga Ora records show this person identified as a European. The person was incarcerated at the time and there was no impact to their housing. Their suspension expired in July 2019.

		- The suspension for the person who identified as Māori was applied in April 2018 before Housing New Zealand began lifting suspensions. However, due to an error in the record it was re-entered into the system in October 2018 retaining its original suspension date but showing in the 2018/19 financial data. The suspension was lifted in April 2019.
6.	**Availability of quantitative or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims**	The 2018 trial of pre-placement interviews found that pre-placement interviews provided HNZC with a clearer understanding of the applicant at the beginning of the potential tenant relationship [**KAI.002.0993**].

**KEI MUA I TE AROARO O TE RŌPŪ WHAKAMANA
I TE TIRITI O WAITANGI**

BEFORE THE WAITANGI TRIBUNAL   **WAI 2750**

IN THE MATTER OF   the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF   Kaupapa inquiry into claims concerning
                                          Housing Policy and Services

EVIDENTIAL FACT SHEET

CUSTOMER STRATEGY AND CUSTOMER PROGRAMME

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

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1.	**Basic information**	**Title of policy / programme:** Customer Strategy and Customer Programme
		Year introduced: 2018
		Still current?: yes
		Administering agency(ies): Kāinga Ora – Homes and Communities (**Kāinga Ora**)
		High level summary of policy/programme: The Customer Strategy establishes five strategic goals for Kāinga Ora to achieve its overall vision for customers ("living well, with dignity and stability in connected communities") and identifies six strategic initiatives. The Customer Programme is the delivery programme for components of the Customer Strategy.
		Overlapping/Related policies/programmes:
		• Strategic Plan and Statement of Intent 2019-23 (see separate Evidential Fact Sheet)
		• Asset Management Plan (see separate Evidential Fact Sheet)
		• Long Term Investment Plan (see separate Evidential Fact Sheet)
		• Te Waka Urungi (see separate Evidential Fact Sheet)
		• Sustaining Tenancies Draft Policy Suite (see separate Evidential Fact Sheet)
		• Accessibility Policy (see separate Evidential Fact Sheet)
		Other agencies involved in development, implementation, or ongoing administration:
		• Te Tūāpapa Kura Kāinga (**HUD**)
		• Ministry of Social Development (**MSD**)
		• The Treasury.

2.	**Description of Policy / Programme**	*Customer Strategy*
		The Customer Strategy [**KAI.002.0587**] is the foundational document that sets out the change in strategic direction for Housing New Zealand Corporation (**HNZC**) (now Kāinga Ora) to put protecting and improving the wellbeing of its customers[1] at the centre of its thinking. It recognises the core role of Kāinga Ora is delivering public housing, for people who need it, for as long as they need it. To perform its core role, Kāinga Ora must provide services and homes that deliver more than just a roof over people's heads. It must ensure customers get the support and homes they need so they can live stable lives with dignity, including through working with other public sector agencies and in collaboration with the social sector.
		5 strategic goals
		The Customer Strategy establishes five strategic goals for Kāinga Ora to achieve its overall vision for customers ("living well, with dignity and stability in connected communities"). Those goals are:
		Goal 1: Kāinga Ora understands the needs of its customers and anticipates the needs of future customers
		Goal 2: Customers are trusted, feel empowered, and are involved in the decision making of Kāinga Ora
		Goal 3: Kāinga Ora builds trust and connections between customers and their communities
		Goal 4: Kāinga Ora tenancy services and homes meet customers' needs, now and in the future
		Goal 5: Kāinga Ora works collaboratively with the social sector to enable the delivery of services to customers For each of the strategic goals, the strategy identifies the current position, and what (at a high level) Kāinga Ora needs to do to meet its goals. For example, for Goal 2 (Customers are trusted, feel empowered, and are involved in decision making) the Customer Strategy identifies Kāinga Ora needs to increase the type and frequency of its engagement with customers to (for example) understand their goals and aspirations for the future and given them the opportunity to impact Kāinga Ora decision making.
		Guiding principles and commitment
		The Customer Strategy identifies seven principles that underpin the behaviours and aspirations of Kāinga Ora as it delivers its services and housing: Trust; Dignity; Cultural Respect; Accessibility; Adaptability; Empowerment; Sustainability
		The Customer Strategy also includes commitments to customers and the social sector:
		• To customers: We respect and care about you; We value your opinion and want to learn from you; Your safety and wellbeing is our priority; We will provide you with the right home and the right support; We will be responsive; We will

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[1] Customers is defined as all current and future potential tenants and occupants of state homes.

keep you informed; We continuously learn and innovate

- To the sector: We will work with you; We will provide leadership; We will keep learning and work differently

Strategic initiatives and next steps

Kāinga Ora commits to investigating six specific initiatives:

1. Enhanced service assessment to ensure Kāinga Ora makes great placement decisions and service referrals.

2. Formalised referral pathways and partnerships to help customers navigate services and ensure they are linked with support.

3. More comprehensive and empathetic tenancy management that responds to customers' needs.

4. Housing modifications and a broader range of homes to ensure customers have the right homes.

5. Enhanced community development and investment for better communities.

6. Innovation and improvement to ensure Kāinga Ora continue to change with customers.

For each initiative, the Customer Strategy contains initial analysis about the current position and potential next steps. For example, for the initiative "enhanced service assessment", the Strategy outlines that Kāinga Ora "must know more about why customers leave state housing" to enable it to "intervene to prevent 'negative' departures and connect people with any support they require if they do leave".

Relationship with other key documents

The Customer Strategy is part of the strategic framework of Kāinga Ora, which includes the Strategic Plan (plus the Statement of Intent and Statement of Performance Expectations), the Long-term Investment Plan, the Asset Management Strategy and the Customer Strategy.

Customer programme

The Customer Programme [**KAI.002.0517**][2] is the delivery programme for components of the Customer Strategy. The Customer Programme identifies five fundamental services that Kāinga Ora needs to provide to be a world-class public housing provider:

1) *Match to a suitable house:* When a home is available for a new customer, Kāinga Ora will make sure it has the information to enable the most appropriate match from the waitlist - the right customer, to the right home and in the right community.

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[2] Note, although this document is described as "Customer Programme Business Case", it is in fact the Customer Programme itself.

		Kāinga Ora will take the time to introduce the customer to the house and community before they accept the offer. When both Kāinga Ora and the customer are satisfied that the match makes sense and will support a sustainable tenancy, they can then formally sign-up to a tenancy.
		2) *Help to settle in:* Kāinga Ora will help our customers and whānau through the process of preparing to move, the move itself and settling into their new home and community.
		3) *Provide fit for purpose homes:* Kāinga Ora will deliver quality services to customers and whānau particularly focused on maintenance, inspections, account and issue management, and it meets its legislative obligations.
		4) *Provide and coordinate support to live well:* Kāinga Ora will build its relationships with customers and whānau to understand their circumstances and goals, and jointly agree how Kāinga Ora can support them and/or connect them with those who can.
		5) *Facilitate and invest to develop communities:* Kāinga Ora supports the development of the communities its customers and whānau live in, drawing on and building the capability of customers and whānau or partnering with community providers including rōpū Māori.
		As part of the Customer Programme, Kāinga Ora is reviewing a number of its policies and developing new polices. For example, Kāinga Ora is currently developing two new Cabins policies to help address over-crowding.[3] Kāinga Ora is also redesigning and enhancing its services, including considering changes to its service delivery structure.
3.	**Outline of the process to develop this Policy / Programme**	*Origin of the Customer Strategy* The Customer Strategy was developed as a response to goals and areas for improvement outlined by the Minister for Housing and Urban Development and the Auditor General in 2017, as explained below. In his 2018/2019 Letter of Expectations [**KAI.002.6753**], the Minister for Housing and Urban Development requested Kāinga Ora: • deliver new housing supply in a way that supports the creation of thriving, connected and productive communities; • take a deliberate, tenant-focused approach to delivering tenancy services, placing the tenant and their needs at the centre of what Kāinga Ora do; and • develop appropriate tenancy models to support different cohorts and that reflect the growing complexity of the tenancy base of Kāinga Ora.

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[3]   The development of these policies is at a relatively early stage.

The Customer Strategy was also a response to the Auditor-General's recommendations in December 2017 [**HUD.002.1718**] that (then) HNZC take steps to:

- better understand customer needs to make more effective placements;

- collect more information to manage customers' ongoing needs;

- share information more effectively with others;

- improve communication with customers;

- use customer feedback more effectively; and

- improve the quality of service for customers.

Development process

When developing the Customer Strategy, Kāinga Ora (then HNZC) considered the following data and information:

- HNZC administrative data which provides individual-level tenancy data, including basic customer demographics, self-reported health issues, neighbourhood complaints, property damage, and rental debt.

- Internal and external forecasts and trends about the needs of HNZC's current and future customers, and demand for public housing services.

- Local and international research on best practice approaches for vulnerable members of society.

- Customer research, including:

  - customer journey survey which was a comprehensive qualitative study undertaken in collaboration with an external provider to assess the experience customers have with HNZC's services;

  - quarterly customer survey which provides data for a representative sample of customers' satisfaction with HNZC homes and services, including perceived warmth, dryness and safety;

  - customer interviews as part of HNZC's business-initiated housing transfers; and

  - internal redevelopment surveys which survey customers who have moved into newly built state housing regarding how fit-for-purpose the new dwellings are and how satisfied they are with the surrounding community.

- Frontline interactions, which provide rich information on the wellbeing and needs of customers and communities. This information was obtained from workshops with staff and by (for example) reviewing notes taken by frontline staff.

<table>
<tr><td colspan="2"></td><td>HNZC also engaged with Te Tūāpapa Kura Kāinga, the Ministry of Social Development and Treasury in the development of the Customer Strategy.

There was no specific engagement with Māori. However, Māori staff were involved in workshops and Māori customers were included in the customer research.

Ongoing development of the Customer Strategy

The Customer Strategy outlines short and medium term steps to improve the Strategy, through investing in collecting more information about customers' needs, preferences and circumstances.

Development of the Customer Programme

As part of the development of the Customer Programme, Kāinga Ora engaged with staff and customers and reviewed models used in other jurisdictions. There were three hui with Māori staff, to get a Te Ao Māori view. Recently Kāinga Ora has also engaged an external provider, Te Amokura Consultants Ltd, which provides Te Ao Māori expertise.

As noted above, as part of the Customer Programme, Kāinga Ora is reviewing a number of its policies and developing new polices. Kāinga Ora, with support from Te Amokura Consultants, is currently developing a plan for external engagement with Māori on this review. It is anticipated that policies developed through the Customer Programme will be implemented in September/October. After this there will continue to be some continuous improvement as required through Post Implementation Support.</td></tr>
<tr><td>4.</td><td>**Aims or Objectives of the Policy / Programme**</td><td>The five strategic goals of the Customer Strategy are:

Goal 1: Kāinga Ora understands the needs of its customers and anticipates the needs of future customers

Goal 2: Customers are trusted, feel empowered, and are involved in the decision making of Kāinga Ora

Goal 3: Kāinga Ora builds trust and connections between customers and their communities

Goal 4: Kāinga Ora tenancy services and homes meet customers' needs, now and in the future

Goal 5: Kāinga Ora works collaboratively with the social sector to enable the delivery of services to customers

The five strategic goals also inform the Customer Programme.</td></tr>
<tr><td>5.</td><td>**Outline of monitoring and evaluation built in to**</td><td>The Customer Strategy and Customer Programme are monitored through periodic reporting to the Kāinga Ora Board. The report to the Board in December 2020 [**KAI.002.7595**] recorded that with few exceptions work to deliver the six priority</td></tr>
</table>

	Policy / Programme	components identified in the Customer Strategy has either been completed or started. Targeted initiatives have been quicker to deliver than changes to organisational systems and processes. These longer-term changes are still being investigated and designed. Kāinga Ora also regularly surveys its customers to obtain feedback on the service offering and performance of Kāinga Ora.[4]
6.	**Availability of quantitative or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims**	It is too early to evaluate the success or failures of the Customer Strategy and Customer Programme as the Customer Programme has not yet gone live. However, in July 2020 the Auditor General reported on progress in responding to the issues identified in the 2017 report discussed above [**KAI.002.7895**]. The report was overall positive. This can be attributed to the overall organisation shift within Kāinga Ora, which the Customer Strategy and Customer Programme are part of.

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[4]   See for example summary of 2020 Tenant Satisfaction annual survey [**KAI.002.8213**].

IN THE MATTER OF   the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF   Kaupapa inquiry into claims concerning
                            Housing Policy and Services

EVIDENTIAL FACT SHEET

KAINGA WHENUA LOANS

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

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1.	**Basic information**	**Title of policy / programme**: Kāinga Whenua Loans
		Year introduced: 2010
		Still current?: Yes
		Administering agency(ies): Kāinga Ora-Homes and Communities (**Kāinga Ora**)
		High level summary of policy/programme: Kāinga Whenua Loans provide access to finance to develop housing for owners of multiply-owned Māori land on their whenua.
		Overlapping/Related policies/programmes:
		• Responsible Lending Code
		• First Home Loan Scheme (formerly known as 'Welcome Home Loan') (see separate Evidential Fact Sheet)
		• First Home Grant (see separate Evidential Fact Sheet)
		Other agencies involved in development, implementation, or ongoing administration:
		• Kiwibank,
		• Te Tūāpapa Kura Kāinga - Ministry for Housing and Urban Development (**HUD**)
		• local authorities (provide building consent and collect rates)
		• Te Puni Kōkiri (provide grants to owners that are frequently used in conjunction with Kāinga Whenua Loans).
2.	**Description of Policy / Programme**	The Kāinga Whenua scheme, whereby Kiwibank provide loans that Kāinga Ora underwrite, replaced the previous structure where Housing New Zealand Corporation (**HNZC**) provided loans to owners of multiply-owned Māori land. The insurance arrangement is an extension of the First Home Scheme, which has operated on General Land since 2003. The Kāinga Whenua Loan scheme has to operate within the regulations that apply to the banking/lending sector, including the Responsible Lending Code.
		Introducing Kāinga Whenua Loans was an important step in addressing the financial barriers to housing on Māori land. This loan scheme is the first to offer finance from a mainstream bank to owners of Māori land – which is one of the most commonly cited barriers to building on Māori land [**TPK.003.0431**].

The scheme is a partnership with Kiwibank, whereby Kiwibank provide loans to applicants that meet the eligibility criteria. Kāinga Ora take loan security, rather than Kiwibank taking loan security (which would normally be the case with home loans).

Applications are made to Kiwibank, not to Kāinga Ora. Kiwibank assess applications against the requirements of the credit policy, including their obligations under the Responsible Lending Code. Kiwibank refer applications that fit the lending criteria to Kāinga Ora, to ensure the security requirements are also met. Client contact is with Kiwibank, as they make the lending decision, although applicants can sometimes consult with Kāinga Ora on loan criteria, and their particular circumstances.

Applicants are required to enter into a Licence to Occupy arrangement with the landowners. This licence becomes part of the security agreement that is entered into between the borrower/occupier, the landowner and Kāinga Ora, as the secured party. The Occupier's solicitor is required to register the licence with the Māori Land Court, and apply to the court for an Order from the court determining that the house belongs to the occupier/borrower, rather than the landowners [**KAI.001.0037**].

Changes are made to the credit policy from time to time, as eligibility barriers are identified, that are able to be overcome by amending criteria within the credit policy.

MAIHI identifies target groups – places and people – however there has not been any example of the Kāinga Whenua Loan scheme specifically associated to MAIHI. It has also been signalled there may be a review of the scheme.

Impact of Covid-19

During lockdown, Kāinga Whenua Loan applicants were not able to meet with Kiwibank lenders. To work around this, the documentation process was amended to allow soft copies of documents, rather than relying on original documents with original signatures.

3.	**Outline of the process to develop this Policy / Programme**	It is very difficult to get finance to build housing on Māori land. The main reason is that banks will not normally accept Māori land as security against a loan because it cannot easily be sold in the event of default by the borrower. This means that banks have been reluctant to provide mortgages for housing developments on multiply-owned Māori land. The Crown has recognised this barrier and has designed two sources of finance for housing on Māori land, one of them being Kāinga Whenua loans (with Kiwibank). The other source is the Māori Demonstration Partnership Fund which provides funds to Māori organisations (ranging from small land trusts to large iwi governance organisations). The 2009/2010 Letter of Expectation from the Ministers of Housing and Finance to the HNZC asked that "the Welcome Home Loan product [be] extended to papakāinga and non-government organisations" [**KAI.002.6737**]. HNZC extended the Welcome Home Loan in February 2010 to eligible borrowers living on multiple-owned Māori land and the product was named the Kāinga Whenua Loan.
		In 2011, as part of the Social Housing Reform Programme's review Crown products, and in response to the Office of the Auditor

		General's report on Government planning and support for housing on Māori Land [**HUD.002.1300]** HNZC reviewed the Kāinga Whenua loan scheme. HNZC made a number of recommendations which informed the Ministry of Business, Innovation and Employment recommendations on how the government could broaden the scope of the Kāinga Whenua mortgage insurance scheme, to increase access to finance so people could develop and build on multiply-owned Māori land. In the two years from its introduction in February 2010, only four loans had been drawn-down, with a further four receiving pre-approval. While there had been interest in Kāinga Whenua Loans, the restrictive nature of the current criteria and focus on first-homeownership, excluded many potential applicants who could afford to service a Kāinga Whenua loan.
		In 2012/13, the eligibility criteria for Kāinga Whenua loans were extended, including making loans available to Māori Trusts (individuals were eligible from December 2012), increasing income caps for individual borrowers, and allowing current and previous homeowners to apply.
		The recommendations made as a result of the 2011 review are set out in the 2012 Cabinet Paper Kāinga Whenua Loans – recommendation for change [**KAI.003.3433**].
4.	**Aims or Objectives of the Policy / Programme**	The principal aim of the Kāinga Whenua Loan Scheme is to help Māori achieve home ownership and financial independence. Further objectives are to: • allow owners of multiply-owned Māori land to return to, develop, and build on their ancestral whenua; • allow owners of multiply-owned Māori land to live within a papakāinga environment, should they wish to; and • allow owners of multiply-owned Māori land to own their own homes without incurring the cost of purchasing the land.
5.	**Outline of steps taken to implement the Policy / Programme**	Kāinga Whenua is a Government initiative launched in February 2010 as a targeted product within the Welcome Home Loan (now "First Home Loan") programme. It is funded through the First Home Loan appropriation. When the Kainga Whenua Loan went 'live' in February 2010, HNZC undertook a workshop with 17 'Homeownership Champions' from around the country who were given a presentation and information to then use out in their communities.
6.	**Outline of monitoring and evaluation built in to Policy / Programme**	The Kāinga Ora home ownership team have semi-regular discussions with Kiwibank lending and credit staff, in relation to particular applications and policy settings. Issues tend to arise in relation to applications and Kiwibank will seek direction from Kainga Ora. This may occur 3 – 4 times per year The Minister of Housing & Urban Development ultimately has responsibility for the (non-credit) policy settings such as maximum loan amounts, deposit requirements and security requirements. Kāinga Ora has responsibility for the lending policy (credit policy), which is set in conjunction with Kiwibank.

| 7. | **Availability of quantitative or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims** | More than 55 Kāinga Whenua loans have been provided for the building of new homes, re-location of new and used homes, and the purchase of existing homes through the programme. The whānau and Ahu Whenua trusts who have benefitted from the Scheme likely would not have been able to achieve home ownership on their whenua without the assistance of the programme.

The scheme does not underwrite a large number of loans. The number of loans underwritten is limited by numerous factors, including the proximity of multiply-owned land, owners of that land wishing to occupy their land, and the number of those owners that meet lending requirements. |

**KEI MUA I TE AROARO O TE RŌPŪ WHAKAMANA
I TE TIRITI O WAITANGI**

BEFORE THE WAITANGI TRIBUNAL   **WAI 2750**

IN THE MATTER OF   the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF   Kaupapa inquiry into claims concerning
                          Housing Policy and Services

EVIDENTIAL FACT SHEET
LONG-TERM INVESTMENT PLAN

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

CROWN LAW
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1.	**Basic information**	**Title of policy / programme**: Long-term Investment Plan (**LTIP**), including Long-term Investment Plan 2018 (**LTIP 2018**) and Baseline Long-term Investment Plan 2019 (**Baseline LTIP 2010**).
		Year introduced: 2018
		Still current?: Yes
		Administering agency(ies): Kāinga Ora-Homes and Communities (**Kāinga Ora**)
		High level summary of policy/programme: The LTIP sets out the long-term financial strategy of Kāinga Ora for the next 30 years. It balances trade-offs between (a) the availability of revenues and the cost of servicing external finance; and (b) the scale and pace of growth, renewal, and reconfiguration of the portfolio of Kāinga Ora, to ensure Kāinga Ora delivers a financially sustainable investment programme over the long term.
		Overlapping/Related policies/programmes:
		• Accessibility Policy (see separate Evidential Fact Sheet)
		• Asset Management Strategy (see separate Evidential Fact Sheet)
		• Customer Strategy (see separate Evidential Fact Sheet)
		• Strategic Investment Management Programme (including the Investment Management Framework)
		• Strategic Plan and Statement of Intent (see separate Evidential Fact Sheet)
		Other agencies involved in development, implementation, or ongoing administration:
		The Treasury and Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development (**HUD**).
2.	**Description of Policy / Programme**	The LTIP sets out the long-term financial strategy of Kāinga Ora for the next 30 years. The current LTIP of Kāinga Ora is the Baseline LTIP 2019 [**KAI.002.6470**], which outlines the baseline long term investment plan of Kāinga Ora as at the date of the establishment of Kāinga Ora. The Baseline LTIP 2019 covers the period 2019-48. The Baseline LTIP 2019 updated the LTIP 2018 [**KAI.002.6391**].
		The Baseline LTIP 2019 presents a programme of work for the next 30 years to deliver:
		• 52,000 homes renewed to a modern standard. Safe, warm, dry homes tailored to customer needs. These will result in healthier families, improved wellbeing and stability of tenure.

		• 23,000 more homes delivered across Aotearoa New Zealand providing families who are in need of public and supported accommodation with safe with safe, warm, dry homes tailored to their needs. More accessible homes, more homes for refugees and more homes to alleviate homelessness and overcrowding. • New master planned suburbs across the main centres. Improving community outcomes, household stability, wellbeing and values. Releasing land for nearly 30,000 market/affordable homes to improve homes ownership choice and housing affordability. The Baseline LTIP 2019 also describes the financial implication of the first four year budget period and tests the sustainability of that spend. **Relationship with other documents in the Kāinga Ora Strategic Framework** The LTIP is part of the Kāinga Ora Strategic Framework (see [**KAI.002.6391**] at p 14). Its sits underneath the Strategic Plan, with the Asset Management Strategy and the Customer Strategy.[1] The LTIP works together with the Kāinga Ora Asset Management Strategy which articulates the strategic decisions the Kāinga Ora Board has made around where and how Kāinga Ora will deliver its asset programme in a sustainable manner over the 10 year period from 2018-2028. **The Strategic Investment Management Programme and the Investment Management Framework 2019** In 2019, Kāinga Ora commenced its Strategic Investment Management Programme to establish and embed fit for purpose land and property investment management practices and capabilities at Kāinga Ora. As part of the Strategic Investment Management Programme, Kāinga Ora has developed the Investment Management Framework [**KAI.002.7979**], which sets out how Kāinga Ora makes and delivers decisions about its investment in assets, development and communities in order to achieve its outcomes. The Investment Management Framework includes financial controls to ensure Kāinga Ora operates within the parameters set by the LTIP and budgets.
3.	**Outline of the process to develop this Policy / Programme**	In late 2017 (then) Housing New Zealand Corporation (**HNZC**) began development of the LTIP 2018, to supplement the information in the Asset Management Strategy and identify HNZC's financial strategy over a longer period (30 years). The LTIP 2018 was developed by HNZC, in consultation with Treasury and the Ministry of Social Development. The Baseline LTIP 2019 was developed by Kāinga Ora, in consultation with Treasury and Te Tūāpapa Kura Kāinga.
4.	**Aims or Objectives of the**	The purpose of the LTIP is to outline the investment objectives of HNZC's/Kāinga Ora and the funding and financing needed

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[1]   See separate Evidential Fact Sheets concerning both the Kainga Ora Asset Management Strategy and the Kāinga Ora Customer Strategy.

	Policy / Programme	to ensure the long-term financial sustainability of the organisation.
		The key investment objectives that the LTIP addresses and the measurable outcomes it seeks to achieve are:
		• Provision of well matched, safe, warm and dry housing that tenants can afford to operate within their means.
		• Growing state housing stock to meet increased needs within available resources
		• The financial sustainability of the organisation over the long term
		The LTIP recognises there are important trade-offs between these objectives, because within any given level of funding, there is a trade-off between:
		a) the quality of homes that Kāinga Ora is able to provide;
		b) the quantity of homes that it can provide, and
		c) the timing and location of provision or renewal.
5.	**Outline of monitoring and evaluation built in to Policy / Programme**	The funding settings and investment intentions outlined in the LTIP are under constant review. Periodically the LTIP is reviewed to ensure it is up to date and reflects latest investment strategies and intentions.[2] As noted above, Kāinga Ora updated the LTIP in November 2019 in the Baseline LTIP 2019.
		Through the Statement of Performance Expectations Kāinga Ora sets annual targets for the programme of works which Kāinga Ora assesses through its Annual Report. The 2019/20 Statement of Performance Expectations recorded Kāinga Ora delivered 1,461 newly constructed houses for the 2018/19 year, which exceeded its target of <1,380.[3]

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[2] See generally the Improvement Plan (see **KAI.002.6391** Appendix 1), which outlines the steps Kāinga Ora will take to ensure the Long-Term Investment Plan remains current.

[3] See [**KAI.002.7458**] at p 46. See also 2018/2019 Statement of Performance Expectations [**KAI.002.7329**].

IN THE MATTER OF   the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF   Kaupapa inquiry into claims concerning
Housing Policy and Services

EVIDENTIAL FACT SHEET
MĀORI STRATEGY, TE ANGA WHAKAMUA, TE AU ROA

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

1.	Basic information	**Title of policy / programme**: Kāinga ora Māori Strategy, Te Anga Whakamua (Interim Direction Document), Te Au Roa (Māori Strategic Plan 2007-2012)
		Year introduced:
		1. Te Au Roa was operational between 2007 and 2012
		2. Te Anga Whakamua was approved by the Kāinga Ora Board in August 2020
		3. The Māori Strategy is currently being developed
		Still current?:
		1. Te Au Roa is no longer current.
		2. Te Anga Whakamua is still current but will be disestablished once the Māori Strategy is approved.
		3. The Māori Strategy is currently being developed.
		Administering agency(ies): Kāinga Ora-Homes and Communities (**Kāinga Ora**)
		High level summary of policy/programme:
		1. Te Au Roa was (then) Housing New Zealand Corporation's (**HNZC**) Māori Strategic Plan between 2007 and 2012.
		2. Te Anga Whakamua is an interim document which supports the approach of Kāinga Ora under the Māori and Iwi Housing Innovation Framework (**MAIHI**) while the Māori Strategy is being developed.
		3. The Māori Strategy (in development) will provide strategic direction for Kāinga Ora to achieve and enable housing outcomes for Māori and support the approach under MAIHI.
		Overlapping/Related policies/programmes:
		• The Māori and Iwi Housing Innovation Framework for Action – MAIHI (see separate Evidential Fact Sheet)
		• Anga Mahi Tahi, Tuitui Hoki –Partnership and Engagement Framework (see separate Evidential Fact Sheet)
		• Strategic Plan and Statement of Intent 2019/2023 (see separate Evidential Fact Sheet)
		Other agencies involved in development, implementation, or ongoing administration:
		• Ministry of Social Development (**MSD**)

		• Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development (**HUD**)
		• Te Puni Kōkiri
		• Te Arawhiti
2.	**Description of Policy / Programme**	**Māori Strategy (in development)** Kāinga Ora is currently developing its Māori Strategy, which will provide strategic direction to achieve and enable housing outcomes for Māori. The Māori Strategy will support the Māori-Crown partnership approach to Māori housing via the MAIHI Partnership Programme.[1] It is intended that the Māori Strategy will, through a partnership approach with iwi, rōpū Māori, Māori housing experts and Government, highlight key issues that affect Māori disproportionately such as homelessness, quality of housing and home ownership and seek to address these through the aspirations of partners in a strategic vision, objectives and outcomes that will guide Kāinga Ora and its future work programme for bettering outcomes for Māori. The Māori Strategy will embed a Te Ao Māori approach within Kāinga Ora and its core business. It is intended to ensure Kāinga Ora is living and practicing Te Tiriti o Waitangi in our everyday work. The Māori Strategy will sit next to the Kāinga Ora Strategy,[2] at the top of the Kāinga Ora strategic framework. The Māori Strategy and the Kāinga Ora Strategy will share one outcomes framework, which is currently being developed. **Te Anga Whakamua (2020 – current)** Te Anga Whakamua is an interim direction document which supports the approach of Kāinga Ora under MAIHI while the Māori Strategy is being developed.[3] Te Anga Whakamua identifies five focus areas to support MAIHI: • Homelessness goal: reduce Māori homelessness • Quality of housing goal: Māori have access to quality and appropriate housing • Partnership goal: effective and meaningful partnerships with Māori • National responsiveness goal: establishing and build enduring and meaningful relationships across the regions • Home ownership goal: increase Māori home ownership

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[1]   See separate evidential fact sheet on MAIHI.

[2]   The Kāinga Ora Strategy is currently being developed, refer Strategic Plan Evidential Fact Sheet.

[3]   See Te Anga Whakamua graphic [**KAI.002.7840**].

Each goal lists a number of specific interventions. For example, an intervention under the 'Partnership goal' is to "build internal organisational competency and capability and support industry responsiveness to Iwi/rōpū Māori".[4]

Te Anga Whakamua will be disestablished/absorbed once the Māori Strategy has been confirmed. The Māori Strategy will be the enduring document which will support the approach of Kāinga Ora under MAIHI.

2010-2020

There was no specific strategy for Māori between 2010 and the introduction of Te Anga Whakamua in 2020. HNZC's strategy for Māori was instead to be integrated into its general Strategic Plan. HNZC's Strategic Plan for 2010-2015 indicated HNZC intended to develop a new approach for engaging with Māori.[5] However, Kāinga Ora has been unable to find any evidence that this intention was progressed (until the development of Anga Mahi Tahi, Tuitui Hoki - Partnership and Engagement Framework).[6]

In December 2010 a proposal "Strategic Response to Māori Housing" was put up to HNZC's Investment Group, seeking approval to develop a document titled "Working with and for Māori" [**KAI.003.1338**]. The Investment Group withdrew the paper, indicating that the commencement of the project was not approved. The minutes from the Investment Group meeting stated the intention of the Executive Team was that goals for Māori were to be built into all HNZC's key projects (i.e. instead of a specific policy for Māori Housing). [**KAI.003.1342**].

HNZC did continue to engage with Māori after 2010, however engagement was done adhoc by project, rather than strategically.

Te Au Roa (2007-2010)

Te Au Roa [**KAI.002.7851**] led the direction for how (then) HNZC engaged with Māori on housing issues between 2007 and 2010. The key outcome of the plan was to partner with iwi, Māori and key stakeholders to enable the development of affordable Māori housing and sustainable communities. This was broken down into key goals: to build partnerships with iwi and Māori, to be effective for Māori and to be responsive to Māori. This was further broken down into three priority areas: to develop and maintain strategic partnerships with iwi, Māori and other key stakeholders, to increase the effectiveness of service delivery to Māori and to enhance the Corporation's capacity and capability to respond to Māori as customers.[7]

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4   This intervention is being implemented through the establishment a Mātauranga Māori programme which has recently set up a pilot in Wellington Region and Christchurch to run Tikanga Courses for the staff in those area offices.

5   See KAI.002.9267 at p 27.

6   *Refer separate Evidential Fact Sheet on Anga Mahi Tahi, Tuitui Hoki - Partnership and Engagement Framework.*

7   See p 29.

		The key achievements of Te Au Roa were:
		• Completing the Effective Service Delivery to Māori Assessment 2010 Report[8] to assess a selected number of HNZC's products and services including the housing Options and Advice Service, the revised Welcome Home First Steps provider programme, Kāinga Whenua loans and the Housing Innovation Fund – Māori Demonstration Partnerships.
		• Completing five Māori Demonstration Partnership agreements with iwi including four capital projects and a strategic partnership with Tainui-Waikato, as well as approving grants to support six organisations to develop their housing proposals.
		• Launching Kāinga Whenua – an extension of the Welcome Home Loan to include lending for multiple-owned Māori land.
		• Tendering the provision of services for inter-cultural communications training that was piloted over the 2010/11 year as part of the Customer Excellence training programme.
		• Working closely with the (then) Office of Treaty Settlements in the continued access to surplus state housing as part of the right of first refusal process.
		Te Au Roa was disestablished in 2010. The disestablishment was driven by a decision for HNZC to focus on its core business of tenancy management and asset management.[9] Kāinga Ora has been unable to identify any evidence that there was engagement with Māori about the decision to disestablish Te Au Roa.
3.	**Outline of the process to develop this Policy / Programme**	**Māori Strategy (in development)**
		The Māori Strategy is being developed in accordance with Anga Mahi Tahi, Tuitui Hoki (Partnership and Engagement Framework) and MAIHI. Te Kurutao Group (Māori Operations) is leading the development process.
		The fundamental principle for the development of the Māori Strategy is co-development and empowerment. Three tira (cohorts) were engaged to participate in the Māori Strategy for their expertise, knowledge and experience in the Māori housing sector. The engagement groups consisted of three Tira, an Iwi Leaders Tira, a Māori Housing Experts Tira and an Internal & Inter-Agency Tira.
		The engagement process started internally with an online survey of Kāinga Ora staff that covered Māori values, engagement,

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8   See KAI.002.9232. This document is marked draft, however Kāinga Ora believes the final version is unchanged from the draft version.

9   See 2010 Letter of Expectations from the Minister for Building and Construction [**KAI.002.6762**].

health & wellbeing, Te Tiriti o Waitangi and Mātauranga Māori. External engagement was initiated via a series of 6 hui, held face to face and via Zoom (Zoom was used because of the impact of COVID-19).[10] Each Tira were invited to attend an introductory online wānanga and three face to face wānanga. The design of these wānanga was progressional in order to build on and grow ideas and meaningfully engage with the Tira.

Kāinga Ora currently intends to seek Board approval for the Māori Strategy by April 2021.

Te Anga Whakamua (2020 – current)

Te Anga Whakamua was developed internally by Kāinga Ora. There was no external engagement because Te Anga Whakamua is an interim direction document and was needed urgently to bridge the gap until the Māori Strategy is completed.

Te Au Roa (2007-2012)

Te Au Roa was developed in response to messaging received by HNZC's Māori Capability Committee[11] from Iwi Governance Entities to the effect that HNZC needed to build its capability to engage more effectively. HNZC engaged with Māori in the development of Te Au Roa, through the Māori Capability Committee. Te Au Roa recorded how the plan responded to the specific feedback received by the Māori Capability Committee.[12]

4.	Aims or Objectives of the Policy / Programme	**Māori Strategy (in development)** The objectives of developing a Māori Strategy are to:[13] • Embed a Te Ao Māori approach within Kāinga Ora and its core business. • Implement an engagement process with Iwi and Rōpū Māori that recognises and practices tikanga, is respectful of iwi contexts, and seeks to work with and alongside Iwi and Rōpū Māori. • Benchmark the expectations of Iwi and Rōpū Māori and communities with regards to their needs, aspirations and futures in housing and urban development understand the needs of Māori communities in terms of wellbeing and sustainability within the context of housing.

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[10] See list of attendees [**KAI.002.9312**]. Kāinga Ora had intended to hold 11 regional wānanga across the motu with iwi and rōpū Māori. Unfortunately, this was not possible because of COVID-19, so a smaller, more targeted approach was taken.

[11] The Māori Capability Committee was a committee within HNZC, established in 2004 by the HNZC Board to engage with Iwi and Māori Governance entities (including Māori Trusts, Land Trusts, Incorporations, and organisations) in order to build relationships and address Māori housing needs. Kāinga Ora has been unable to find conclusive evidence of the tenure of the Māori Capability Committee, however reporting on the Committee stopped in June 2011.

[12] See KAI.002.7851 at table 6 (p 19) (see also the discussion of the Māori Capability Committee at p 18).

[13] See paper to Kāinga Ora Board, Māori Strategy for Kāinga Ora – proposed approach to develop the strategy [**KAI.002.5892**].

- Give effect to Te Tiriti o Waitangi, the Treaty of Waitangi and Principles of the Treaty of Waitangi in the everyday work of Kāinga Ora and encourage Kāinga Ora to think critically about the transformational outcomes of its work for Māori communities in housing and urban development.

- Encourage Kāinga Ora to think critically about the transformational outcomes of its work for Māori communities in housing and urban development.

The intended outcomes of the Māori Strategy are:

- Māori aspirations for housing and urban development are supported and Māori interests protected.

- Kāinga Ora are focused on transforming Māori communities and improving the social economic environmental and cultural wellbeing through improved housing and urban development.

- Kāinga Ora engagement with Iwi and Rōpū Māori is partnership-oriented, purposeful, respectful and mana-enhancing.

- Te Tiriti o Waitangi, the Treaty of Waitangi and Principles of The Treaty of Waitangi are reflected in all of the work that Kāinga Ora does.

- The Māori Strategy demonstrates strong alignment with HUD, Te Puni Kōkiri and other relevant agencies who serve the needs of Māori through housing, under the auspices of the MAIHI Framework.

- Māori cultural capability is prioritised, supported and resourced across the organisation.

Te Anga Whakamua (2020 – current)

The purpose of Te Anga Whakamua is to support the approach of Kāinga Ora under MAIHI, while the Māori Strategy is being developed.

Te Au Roa (2007-2012)

The objectives of Te Au Roa were:[14]

- Increasing Māori access to urban and rural home ownership, lending and security to complement HNZC's existing and developing initiatives.

- Increasing opportunities for iwi and Māori to participate in the rental market.

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[14]   See **KAI.002.7851** at p 27.

		• Increasing innovation with iwi and Māori governance entities, Land Trusts and Incorporations in order to address the range of Māori priorities and aspirations.
		• Developing an inter-sectoral approach to identify and address impediments to Māori housing priorities and aspirations.
		• Growth of a wider work programme that draws on central and local government, as well as financial institutions, iwi and Māori governance entities, Land Trusts and Incorporations to potentially leverage off each other's strengths to create new opportunities.
		• Improved overall outcomes in the well-being of Māori as individuals and as members of whānau, hapū and iwi.
		• An increase in the sustainability of Māori urban and rural communities that government departments and iwi and Māori governance entities can attest to.
5	**Outline of monitoring and evaluation built in to Policy / Programme**	**Māori Strategy (in development)** The Māori Strategy will be monitored through the Kāinga Ora Outcomes Framework[15] as well, as part of the development of the Māori Strategy, a robust evaluation and monitoring framework will be established as a means to regularly review our success and areas for change and improvement. **Te Anga Whakamua (2020 – current)** There is no specific monitoring of Te Anga Whakamua as it is an interim framework. However, any learnings about Te Anga Whakamua will be collected and fed back into the development of the Māori Strategy **Te Au Roa (2007-2012)** Te Au Roa identified three key outcome measures:[16] (1) measures for specific types of housing tenure to be developed; (2) Māori-specific indicators developed for service delivery; (3) increase the trust and confidence in HNZC by Māori tenants from 57% to 70% by 2011.[17]

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[15] The Outcomes Framework is set out in the Kāinga Ora Statement of Intent 2019-23 [**KAI.002.7202**]. As noted in the Statement of Intent the Outcomes Framework is interim and open for feedback as Kāinga Ora develops its understanding of its role.

[16] See [**KAI.002.7851**] at p 28.

[17] Customer satisfaction was, and is, monitored in customer surveys.

		Kāinga Ora has been unable to find evidence that development of measures/indicators ((1) and (2) above) was progressed. It was intended that Te Au Roa would be reviewed annually however that did not occur.
6	**Availability of quantitative or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims**	**Māori Strategy and Te Anga Whakamua** No data currently available. **Te Au Roa** In June 2010, HNZC launched a review of Te Au Roa. The terms of reference [**KAI.002.9130**] recorded a number of issues with Te Au Roa: • A major barrier in achieving the desired outcomes of Te Au Roa Strategic Plan has been its implementation in a 'silo' fashion, by a small discrete team – resulting in 'non-ownership' in the right parts of the organisation. • The initial strategy notes potential measures for success, but was not explicit on measuring outcomes. The proposal at this stage was to develop a new Māori Strategy, which would be fully integrated with HNZC's strategic plan. As discussed above at section 2, this proposal did not progress.

KEI MUA I TE AROARO O TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

BEFORE THE WAITANGI TRIBUNAL WAI 2750

IN THE MATTER OF	the Treaty of Waitangi Act 1975
AND	
IN THE MATTER OF	Kaupapa inquiry into claims concerning Housing Policy and Services

EVIDENTIAL FACT SHEET

METH POLICY
(POLICY FOR MANAGING METHAMPHETAMINE CONTAMINATION OF KĀINGA ORA-MANAGED PROPERTIES)

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

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1.	**Basic information**	**Title of policy / programme**: Policy for managing methamphetamine (**meth**) contamination of Kāinga Ora-managed properties (**Policy for managing meth**).
		Year introduced: 2019 (replacing 2004-2018 policy)
		Still current?: Yes
		Administering agency(ies): Kāinga Ora-Homes and Communities (**Kāinga Ora**)
		High level summary of policy/programme: Guidance for Kāinga Ora staff and contractors for managing meth contamination at Kāinga Ora managed properties. Includes a customer wellbeing focus, with greater tolerance and understanding of tenants with addiction and substance abuse issues. Replaces previous zero-tolerance approach.
		Overlapping/Related policies/programmes:
		• Customer Strategy (see separate evidential fact sheet)
		• Te Waka Urungi (see separate evidential fact sheet)
		• Draft Sustaining Tenancies policy suite (see separate evidential fact sheet)
2.	**Description of Policy / Programme**	The policy for managing meth [**KAI.002.0936**] provides guidance to Kāinga Ora workers about managing meth in Kāinga Ora managed properties, including health and safety matters around potential or confirmed meth situations in Kāinga Ora-managed properties.
		The policy outlines the following:
		- Kāinga Ora is focussed on the safety of its workers, tenants and other people who may potentially come into contact with meth contamination. A test for meth contamination will be undertaken where Kāinga Ora has reasonable grounds, supported by credible evidence, for suspecting the property may have high levels of meth contamination. Kāinga Ora may also make a business decision to carry out a test for meth contamination where there is no apparent cause for suspicion.[1]
		- Meth use, first and foremost, is a health and addition issue for the person using and their family/whānau. Kāinga Ora seeks to support the tenant to sustain their tenancy, including (for example) by referring the tenant to Te Waka Urungi, which will assist the tenant to access appropriate services. Only in exceptional circumstances will the tenancy be terminated for meth

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[1] Non-suspicion baseline testing is undertaken for properties that are leased through the Home Lease Programme, as Kāinga Ora must ensure these properties are returned to the Owner free of contaminants.

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use or manufacture.

- In some circumstances it may be appropriate to seek recovery of costs associated with testing, cleaning, reinstating, demolishing, or the loss of value of, a property from the tenants and/or other persons through the Tenancy Tribunal or District Court. Any such cases must be discussed first with the appropriate manager.

The policy is supported by the following guidelines:[2]

- CA-716 Managing Methamphetamine (Meth) in Kāinga Ora - managed Properties

- CA-717 Guidelines for Managing Methamphetamine (Meth) in Home Lease Properties

- CA-718 Guidelines for Managing Methamphetamine (Meth) in Emergency Housing Properties

- CA-719 Guidelines for Managing Methamphetamine (Meth) in Community Group Housing Properties

- T-250 Guidelines for Managing Tenant Belongings Affected by Methamphetamine (Meth) Contamination

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<tr><td>3.</td><td>**Outline of the process to develop this Policy / Programme**</td><td>

The policy for managing meth is part of a series of shifts in approach by Kāinga Ora (and previously Housing New Zealand Corporation (**HNZC**)) to proactively help tenants and their families sustain their tenancies and live in warm, safe, dry homes.

The 2004-2018 zero tolerance policy

HNZC's approach from 2004-2018 was zero tolerance towards criminal activity, which included the use and manufacture of methamphetamine. In 2011 a suspension policy was introduced following a cabinet decision that allowed HNZC to suspend tenants for one year for unlawful activity and by 2014 drug use in HNZC properties could result in termination of the tenancy.[3] In addition, the cost of remediation was sometimes added to a tenant's rent account (provided the cost was properly established as payable by the tenant).

In 2016, the policy was adapted so that tenants that weren't responsible for the meth contamination could be moved to another HNZC. Grocery vouchers and grants were offered to tenants who were placed in what were later found to be meth contaminated properties. These grants were also used as compensation for loss of belongings if contaminated by meth from the homes.

</td></tr>
</table>

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[2] Available at: https://kaingaora.govt.nz/publications/methamphetamine-contamination-response/. Note, guideline CA-716 AND CA-717 predate the policy and are currently being updated to ensure they accurately reflect Kāinga Ora approach to methamphetamine contamination from May 2018, as well as subsequent changes to the Residential Tenancies Act.

[3] See separate evidential fact sheet on Placement, including suspensions and waivers.

Change to sustaining tenancies approach

In 2017, (then) HNZC began its shift towards a sustaining tenancies approach,[4] which included a review of its zero-tolerance approach to illegal activity. As a result, from 2018 onwards HNZC no longer terminated tenancies for methamphetamine contamination except if meth was manufactured at the property. As part of the move to a sustaining tenancies approach, HNZC considered the impact of its past polices in a report on HNZC's response to meth contamination [**KAI.002.5431**] (**the Report)**. The Report included a foreword from the Board of HNZC acknowledging and apologising for the harm caused by HNZC's former policies:

> *The Housing New Zealand Board apologises to past Housing New Zealand customers who have suffered harm through termination of a tenancy as a result of our policies or practices that we can now see, with all the information in front of us, were wrong or ill judged.*
>
> *We accept that significant harm was done to a number of Housing New Zealand customers as a result of the policies and practices associated with meth, even if Housing New Zealand people at the time believed they were acting in good faith. We understand that meth is only one of many illegal drugs that may be used in Housing New Zealand homes and that it has had a disproportionate amount of attention by us.*

The Report found 65 percent of tenancies in properties found to be contaminated above the then threshold left the contaminated property (either because of eviction or for other reasons) and were not re-housed (see p 53). Only 13 percent of tenants in properties found to be above the then threshold remained in the property as at the time of the Report.

In February 2019, HNZC's Policy Leadership Group and the Executive Team made a series of policy decisions regarding the testing and decontamination thresholds for meth and the consequences for treatment of tenants in properties where meth contamination has occurred.[5] Those policy decisions led to the current policy for managing meth, which has been in force since October 2019.

Engagement with Māori to date

Kāinga Ora has been unable to find evidence that targeted engagement and consultation with Māori, iwi or Māori interest's groups occurred in the development or review of the 2004-2018 zero tolerance policy or the development of the current policy for managing meth.

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[44] See separate Evidential Fact Sheet concerning *Sustaining Tenancies Draft Policy Suite*

[5] See particularly the minutes from the Board's meeting held on 25 February 2019, where the Board discussed the discussed the importance of enabling stability for tenants to help improve health and education outcomes [**KAI.002.8882**].

		Future development of the policy
		The operational policy for managing meth will be reviewed following the release of meth regulations that are being developed by Te Tūāpapa Kura Kāinga - Ministry of Housing and Urban Development (anticipated in mid-2021). Kāinga Ora intends to engage with Māori as part of the review of the policy.
4.	**Aims or Objectives of the Policy / Programme**	The overall objectives of the policy are to:[6] - so far as is reasonably practicable, ensure the safety of workers, tenants and other people who may potentially come into contact with meth contamination; and - support tenants who use or manufacture meth to sustain their tenancies or transfer to a new tenancy, except where there are exceptional circumstances to justify terminating the tenancy.
5.	**Outline of monitoring and evaluation built in to Policy / Programme**	As noted above, the policy for managing meth will be reviewed following the release of meth regulations, anticipated in mid-2021.
6.	**Availability of quantitative or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims**	**2004-2018 approach** The Report on HNZC's 2004-2018 approach to meth [**KAI.002.5431**] acknowledged the harm caused by HNZC's policy (see apology quoted above). The Report made a number of findings about HNZC's approach:[7] • Focusing on zero tolerance was wrong and ignored many of the issues that resulted in access to a state home in the first place. It had a range of poor outcomes for tenants and their families. • In determining whether houses were safe to live in, Housing New Zealand took a conservative and risk adverse approach to health risks and, from 2014 onwards, applied existing Ministry of Health guidelines for instances of both methamphetamine manufacture and use in its properties. These 2010 guidelines were developed solely in relation to contamination resulting from manufacture, and in hindsight, Housing New Zealand was wrong to apply them more broadly. Although Housing New Zealand sought scientific opinion on this issue, it chose not to take a leadership role in investigating the issue independently of established channels. The New Zealand standard, and then the Chief Science Advisor's report, identified a much higher threshold than the 2010 guidelines. • Housing New Zealand failed, in some individual cases, to follow the principles of natural justice, by applying its suspension policy without providing sufficient detail to allow tenants to respond meaningfully to a notification that they were being

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6   [**KAI.002.0936**] (see principles section).

7   See summary at p 9.

considered for suspension; and in seeking to recover costs for methamphetamine contamination from tenants without bringing a claim against those tenants in the Tenancy Tribunal or District Court.

- Housing New Zealand failed, in some individual cases, to take sufficient care in examining methamphetamine test results before seeking to end a tenancy.

- Housing New Zealand must continue to improve its policy development and implementation to ensure that it takes appropriate care when interacting with tenants, who are some of the most vulnerable people in Housing New Zealand's communities. Housing New Zealand failed to take a customer centred approach when developing its methamphetamine management policies.

- Housing New Zealand's Board must have greater involvement and oversight as key operational policies are developed. The Board has recognised the need to take a more active role in monitoring the development and implementation of operational policy in the future.

- Housing New Zealand is unable to guarantee that its records in relation to tenancies affected by methamphetamine contamination are complete. This is due to deficiencies in its record keeping and because of the number of different systems that have been used to store information over time. System improvements are required to ensure that important information relating to tenancies and outcomes for tenants is captured and readily available in Housing New Zealand's core systems.[8]

Records of transfers/terminations related to meth contamination prior to 2019

Following the Report on HNZC's pre-2018 approach (discussed above), HNZC/ Kāinga Ora created a system to record tenants who were transferred or had their tenancy terminated related to meth contamination prior to 2019, to support reconnecting those tenants with HNZC/ Kāinga Ora services.[9]

Data post current policy for managing meth

Since 2019 0 tenancies have been terminated due to meth contamination and 24 tenancies have been recorded as transferred due to meth contamination.[10]

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[8] Note, a number of system improvements were made in 2016, when HNZC began recording information regarding meth in homes or related to tenancies in a centralised way, including information about terminations due to meth contamination.

[9] Kāinga Ora have taken other steps to support customers affected by the zero-tolerance policy, for example cancelling the recovery of meth related customer debt.

[10] Note, the records of Kāinga Ora show 2 tenancies terminated due to meth contamination, however Kāinga Ora has confirmed the cause of those terminations was incorrectly recorded – one was a transfer for possible future development and the second was a transfer for decontamination due to meth.

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KEI MUA I TE AROARO O TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

BEFORE THE WAITANGI TRIBUNAL   **WAI 2750**

IN THE MATTER OF	the Treaty of Waitangi Act 1975
AND	
IN THE MATTER OF	Kaupapa inquiry into claims concerning Housing Policy and Services

EVIDENTIAL FACT SHEET

MYKĀINGAORA

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

CROWN LAW
TE TARI TURE O TE KARAUNA
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Jacki Cole
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1.	**Basic information**	**Title of policy / programme**: MyKāingaOra
		Year introduced: Public Launch March 2020
		Still current?: Yes
		Administering agency(ies): Kāinga Ora-Homes and Communities (**Kāinga Ora**)
		High level summary of policy/programme: platform for the tenants of Kāinga Ora to check information about their tenancy and communicate with Kāinga Ora.
		Overlapping/Related policies/programmes: Customer Strategy (see separate evidential fact sheet)
2.	**Description of Policy / Programme**	MyKāingaOra is a website for KāingaOra tenants to make basic queries online. Customers can access this website from their mobile or laptop and it is available 24 hours, 7 days a week.
		Customers can use MyKāingaOra to:
		• Self-register online for Kāinga Ora online services
		• Check their account balance, transactions and history (for rent and maintenance)
		• View maintenance jobs and request non-urgent maintenance
		• Upload Photos to support maintenance requests
		• Know who their Tenancy Manager is and see all upcoming appointments
		• Check and update their Profile information (e.g. mobile number, email address)
		• Access Wellbeing services (1737), Healthline, Police 105 service, Step-up Loans
		• Customer Welfare Surveys.

3.	**Aims or Objectives of the Policy / Programme**	The objectives of the Programme are as follows: • Enable tenants to be more independent by giving them easy access to their tenancy information and enabling them to access services and report non-urgent issues online. • Free up the Kāinga Ora Customer Support Centre people and Tenancy Teams, enabling them to make more proactive pastoral care calls and offer increased intensive proactive tenancy services.
4.	**Availability of data to demonstrate success or failures of the Programme**	There are currently 8576 activated users (customers).

IN THE MATTER OF	the Treaty of Waitangi Act 1975
AND	
IN THE MATTER OF	Kaupapa inquiry into claims concerning Housing Policy and Services

EVIDENTIAL FACT SHEET
RED HILL PILOT

(KĀINGA ORA)
5 Poutū-te-rangi | March 2021

CROWN LAW
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1.	**Basic information**	**Title of policy / programme**: Red Hill Pilot (Papakura)
		Year introduced: 2018
		Still current?: In February 2019 Red Hill Pilot was adopted as business as usual within the Red Hill area.
		Administering agency(ies): Kāinga Ora – Homes and Communities (**Kāinga Ora**)
		High level summary of policy/programme: Pilot to improve tenant and community outcomes in Redhill by reducing the number of properties managed by three Housing New Zealand Corporation (**HNZC**)/Kāinga Ora tenancy managers to enable them to spend more time working intensively with tenants and their whānau.
		Overlapping/Related policies/programmes:
		• Customer Strategy (see separate evidential fact sheet)
		• Te Waka Urungi (see separate evidential fact sheet)
2.	**Description of Policy / Programme**	The Red Hill Pilot (the **Pilot**) involved reducing the portfolios (number of properties) of Kāinga Ora Tenancy Managers to enable those Tenancy Managers to spend more time working intensively with tenants and their whānau. Typically, Kāinga Ora Tenancy Managers can have 300 properties or more to manage each. Under the Pilot, portfolios were reduced to 160 properties (see Pilot Planning Document, [**KAI.002.1061**]).
		During the Pilot, Tenancy Managers used a traffic light system to identify the level of intensive support required for each of the 480 properties in the Pilot.[1] A tenancy was identified as needing a high level of support (red category) where it had multiple issues ranging from the condition of the property to rubbish issues or anti-social behaviour. Tenancy Managers formed relationships with local services (including Papakura Marae, Papakura Budgeting Service, Salvation Army, New Zealand Police, St Mary's Church, Redhill Community service and Victim Support) and referred tenants to appropriate services. For example, during the Pilot there were 47 referrals made to the Papakura Marae (which includes a GP (medical) practice and social services).
		Tenancy Managers also facilitated family friendly events and took part in volunteering in the community, to enable tenants and the community to get to know them better and improve trust and rapport.
		Since February 2019 the initiatives in the Red Hill Pilot (including portfolio sizes of 160 tenancies per tenancy manager) have

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[1] 480 homes comprises the entirety of the Red Hill Portfolio.

		been business as usual in the Red Hill Area.
3.	**Outline of the process to develop this Policy / Programme**	The Red Hill Pilot was developed through the Takanini office of Housing New Zealand (as it then was) wanting to work differently. Tenancy Managers were aware there were multiple issues in the area (for example, high volume of crime, drug and alcohol abuse, mental health issues), however they struggled to engage with and support customers in the area because of low levels of trust. As part of the development of the Pilot, HNZC took the following steps: - Met with Tony Kake, CEO of Papakura Marae, to discuss the role of the marae in the Pilot. Tony Kake dedicated a social worker to the venture, who would undertake joint visits with Tenancy Managers. - Considered case studies on households with issues relating to gangs/crime, contamination and overcrowding, to assist with understanding of the issues faced by customers in the area. - Identified other social service providers in the area and met with them, socialising the initiative and asking if they wanted to collaborate in the Pilot.
4.	**Aims or Objectives of the Policy / Programme**	The three key objectives of the Pilot were:[2] 1) Improve tenant and community outcomes through community engagement and increased HNZC visibility in the area, with the aims of: - Improving visibility of HNZC staff in the area - Creating a safer community - Improving community engagement - Reducing Tenancy Manager effort to sustain individual tenancies - Obtaining a better understanding of HNZC tenants - Improving outcomes for tenants - Improving tenant/community perception/pride in the area - Improving recording of information gathered 2) To ensure properties are well maintained internally and externally to encourage pride in the community which would entail:

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[2]   See New Pilot Start up - Redhill Neighbourhood [**KAI.002.1097**].

		- Properties being well maintained by HNZC - Properties being well maintained by tenants - Improved common areas - Improved tenant/community perception/pride in the area 3) To develop HNZC relationships with external agencies to support tenants to access and engage with support services in order to: - Develop stronger relationships with key agencies - Assist tenants to be referred to services that provide appropriate support - Identify any service gaps
5.	**Outline of steps taken to implement the Policy / Programme**	A Community Day was held in April 2018 to introduce the three Red Hill Tenancy Managers and to facilitate social engagement with NZ Police and Papakura Marae. A newsletter was also produced and distributed.
6	**Availability of quantitative or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims**	At the conclusion of the Pilot, HNZC re-evaluated the support needs of tenants and their whānau involved in the Pilot using the traffic light system. The results were as follows (red = high; orange = med; green = low): |	Before (2018)	After (2018/2019)
Red	64	14
Orange	164	109
Green	217	312 | HNZC also conducted interviews with some tenants involved in the Pilot, as well as Tony Kake of Papakura Marae, which provides some information about the non-tangible successes and outcomes of the Pilot. Tony Kake, CEO Papakura Marae, observed:[3]

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[3] See [**KAI.002.1116**]. Further clips from the interview with Tony Kake and also an interview with a customer involved in the Red Hill Pilot are available here: https://drive.google.com/file/d/1HUFEYoL-uXp1zW4kXqIJpmBPMclRbL9T/view

		"Having them volunteer was good. They were not there to say you haven't paid your rent. They're there to serve our whānau. Just having empathy around where they are coming from, helps that relationship to be built. Listening to where our whānau are at – that's a starting point,"

**KEI MUA I TE AROARO O TE RŌPŪ WHAKAMANA
I TE TIRITI O WAITANGI**

BEFORE THE WAITANGI TRIBUNAL WAI 2750

IN THE MATTER OF	the Treaty of Waitangi Act 1975
AND	
IN THE MATTER OF	Kaupapa inquiry into claims concerning Housing Policy and Services

EVIDENTIAL FACT SHEET

RURAL HOUSING PROGRAMME (RHP) - LONG TERM ROLE OF GOVERNMENT IN ADDRESSING SUBSTANDARD HOUSING

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

CROWN LAW
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1.	**Basic information**	**Title of policy / programme:** Rural Housing Programme (**RHP**)
		Year introduced: The Rural Housing Programme was introduced in 2001.
		Still current?: No the programme ended in 2011
		Administering agency(ies): Housing New Zealand Corporation (**HNZC**) as it then was.
		High level summary of policy/programme:
		The Rural Housing Programme provided essential repairs to dwellings and upgrades including insulation retrofits to owner occupied/whānau homes/ privately owned houses, to eliminate substandard housing in Northland, East Coast, and Eastern Bay of Plenty, as well as fire safety education. The programme also engaged with communities to build housing capacity.
		The Rural Housing Programme sought to eliminate substandard housing in Northland, East Coast, and Eastern Bay of Plenty (NECBOP) by providing housing responses including essential repairs to dwellings, infrastructure upgrades, insulation retrofits, and fire safety education measures. The Programme also engaged with communities to build housing capability and capacity so that communities were more able to manage their own housing needs.
		Other agencies involved in development, implementation, or ongoing administration:
		• Ministry of Social Development (**MSD**)
		• Te Puni Kokiri
		• Ministry of Pacific Island Affairs.
2.	**Description of Policy / Programme**	The Rural Housing Programme [**KAI.002.1182**] sought to eliminate substandard housing in Northland, East Coast, and Eastern Bay of Plenty (*NECBOP*) by providing housing responses including essential repairs to dwellings, infrastructure upgrades, insulation retrofits, and fire safety education measures. The Programme also engaged with communities to build housing capability and capacity so that communities were more able to manage their own housing needs.
		In 2003/2004 aspects of the RHP became available to areas of high need outside NECBOP.
		The Rural Housing Programme was disestablished in June 2011 (following a wind down period), after the November 2008 change of Government. There was little consultation with communities, Iwi and Service Providers prior to the decision to wind down the programme.

		Although the RHP no longer exists, there is some overlap between the RHP and programmes that continue to be provided by Te Puni Kōkiri (see Te Ara Mauwhare evidential fact sheet and Māori Housing Network evidential fact sheet (TPK))
3.	**Outline of the process to develop this Policy / Programme**	In 2001, Cabinet directed HNZC and MSD to eliminate the problem of substandard housing in NECBOP with a five-year programme: immediate response to acute health and safety risks and long-term social development response. The immediate trigger for the RHP was the tragic deaths of young people in house fires. In the early development of the Rural Housing Programme, surveys were undertaken, involving local Iwi in NECBOP, to determine where there was demand for state houses and demand for suspensory loans for essential repairs.
4.	**Aims or Objectives of the Policy / Programme**	The strategic goals of the RHP were: • Increased access to affordable and sustainable rural housing. • Improved rural housing standards. • Integration with rural community need. • Increased rural community capability. The programme also facilitated access to other Housing New Zealand products and services.
5.	**Outline of monitoring and evaluation built in to Policy / Programme**	The RHP was evaluated by the Centre for Research, Evaluation and Social Assessment six times between 2004 and 2006, synthesised into the 2007 report (see summary [**KAI.002.2370**] at [5] and 2007 report [**KAI.002.2059**]). The evaluations were based on analysis of interviews, administrative and survey data, and international literature.

6.	**Availability of quantitative or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims**	A significant number of the households who benefited from the RHP were Māori and many of the community-based providers were iwi, rūnanga and Māori organisations. RHP achievements included the following:[1] - From inception to 30 June 2011 the programme provided 2,918 essential repairs, assisted 1,951 households with infrastructure installations or upgrades, retro-fitted insulation to 1,279 houses, provided fire safety measures to 58,039 households, delivered 419 new Rural Rental Houses, and entered into 145 HIPZ (capacity and capability building) Contracts with Iwi, Runanga, and other Community based Service Providers. The Rural Housing Programme also provided Community Owned Rural Rental Housing Loans to Iwi, Runanga, and Community Based Organisations to build 419 new Community Owned Rural Rental Houses. Housing capacity and capability was increased in that 145 contracts were held with community organisations to develop these things. - State owned rural rental housing stock was increased by 416 properties by either building or purchasing. - Subsidised lending to Community organisations which provided for the delivery of Community Owned Rural Rental housing.

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[1] Note, although the 2007 evaluation had some criticisms of the RHP, the RHP met its targets in all years.

IN THE MATTER OF	the Treaty of Waitangi Act 1975
AND	
IN THE MATTER OF	Kaupapa inquiry into claims concerning Housing Policy and Services

EVIDENTIAL FACT SHEET
STRATEGIC PLAN 2017-2021 AND STATEMENT OF INTENT 2019/2023

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

CROWN LAW
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1.	**Basic information**	**Title of policy / programme and years operational**
		• Housing New Zealand Strategic Plan 2017-2021 **(HNZC's Strategic plan),** introduced 2017. No longer current because it records the strategy of Housing New Zealand Corporation (**HNZC**), a legacy agency of Kāinga Ora-Homes and Communities (**Kāinga Ora**). Kāinga Ora is currently developing a new Strategic Plan.
		• Kāinga Ora Statement of Intent 2019-2023 (**Statement of Intent 2019-2023**) introduced in 2019. Still current.
		Administering agency(ies): Kāinga Ora, previously HNZC.
		High level summary of policy/programme:
		• HNZC's Strategic Plan was HNZC's overarching strategy for contributing to better housing outcomes in New Zealand.
		• The Statement of Intent 2019-23 sets out the overall strategic direction of Kāinga Ora at establishment.
		Overlapping/Related policies/programmes:
		• Asset Management Strategy (See separate Evidential Fact Sheet)
		• Statement of Performance Expectations
		• Customer Strategy and Programme (See separate Evidential Fact Sheet)
		• Long-term Investment Plan (See separate Evidential Fact Sheet)
		• Te Anga Whakamua and the Kāinga Ora Māori Strategy (See separate Evidential Fact Sheet)
2.	**Description of Policy / Programme**	**HNZC's Strategic Plan**
		HNZC's Strategic Plan [**KAI.002.6107**] outlined HNZC's role as an organisation in 2017,[1] how it defined success and how it would contribute to better housing outcomes in New Zealand. It also outlined the steps HNZC would take to ensure that it had a reliably high-performing organisation, able to meet its challenges and deliver on commitments. HNZC's Strategic Plan had two parts (Board Strategy and Organisational Strategy) summarised below.

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[1]   See previous HNZC Strategic Plans: KAI.002.8496 (2010 - 2015) and KAI.002.8513 (2012-2017). HNZC/Kāinga Ora did not have a strategic plan before 2010 (although it had other strategic documents, such as the Asset Management Strategy).

Board Strategy

The Board Strategy outlined:

- The long-term outcomes that HNZC contributed to, for example, that New Zealanders with social housing need have access to and sustain tenancies for their duration of need.

- HNZC's role in achieving those outcomes, for example that it delivered the right volume supply of quality public housing in the right place and matched to customer needs and renewed its existing portfolio of homes.

- The results HNZC was aiming for by 2021, for example 85% of customers would be satisfied with HNZC's customer services and 98% of homes would be let (these continue to be targets for Kāinga Ora).

- HNZC's 2017-2021 priorities to achieve its results, for example to increase the pace and scale of housing supply and increase its understanding of customer needs and put their needs at the centre of decisions.

Organisational Strategy

The Organisational Strategy outlined how HNZC was to respond to and achieve its priorities by identifying specific initiatives. The specific initiatives included:

- Developing a customer strategy.

- Building relationships with the community housing sector.

- Establishing improved capability and processes for tracking progress toward HNZC's asset strategy and plans at a Portfolio level, looking across delivery teams, asset types and projects and programmes.

Relationship with other key strategic documents

HNZC's Strategic Plan was part of HNZC's Strategic Framework, alongside the following other key documents:[2]

- *Asset Management Strategy* and other functional strategies (for example the Customer Strategy) which focus on understanding customers and ensuring the HNZC/Kāinga Ora delivers assets and services that respond to customers' needs.

- *Long-term Investment Plan* articulates how HNZC/Kāinga Ora is going to fund its long-term build programme and ensure it remains financially sustainable.

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[2] This remains the Kāinga Ora Strategic Framework, but the Kāinga Ora Strategic Plan is currently in development.

- ***Statement of Performance Expectations*** (SPE)[3] is the HNZC/Kāinga Ora key annual accountability document between the organisation's Board and the Minister of Housing and Minister of Finance.[4] It outlines both annual non-financial performance and financial expectations in the form of annual forecast financial statements. The SPE forms the basis of quarterly reporting to Ministers, the preparation of the Kāinga Ora Annual Report,[5] and select committee scrutiny of organisational performance.

- ***Statement of Intent***[6] sets out the strategic direction for HNZC/Kāinga Ora for the next four years and includes long term indicators (see discussion below).

Statement of Intent 2019-23

The Statement of Intent 2019-23 [**KAI.002.7202**] was developed to reflect the broadened mandate of Kāinga Ora, as a newly established organisation. Under s 140 of the Crown Entities Act 2004 (**Crown Entities Act**) Kāinga Ora, as a Crown Entity, was required to prepare a statement of intent "as soon as practicable" after establishment. Kāinga Ora is required to act consistently with its current statement of intent.[7]

The Statement of Intent 2019-23 includes:

- A commitment to continue to deliver the services provided by legacy agency, but also to build on this work and deliver a step change in housing and urban development.

- A commitment to partnering with Māori and upholding the Treaty of Waitangi.

- A summary of the operating context of Kāinga Ora, including increasing pressure on public housing, increasing levels of homelessness (which disproportionally affects Māori and Pacific communities), and the legislated operating principles and policy settings of Kāinga Ora which require it to:

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[3]   See Statements of Performance Expectations for the Period 2014 to 2020/21: KAI.002.7439 (2014/2015) KAI.002.7246 (2015/16); KAI.002.7391 (2016/2017); KAI.002.7281 (2017-2018); KAI.002.7329 (2018-2019); KAI.002.7458 (2019-2020); KAI.002.9149 (2020/2021). The requirement to have a Statement of Performance Expectation was introduced in 2014, so there are no Statements of Performance Expectation prior to 2014.

[4]   Under s 49 of the Crown Entities Act 2004, Kāinga Ora must act consistently with its current statement of performance expectations.

[5]   See Annual Reports from 2009 to 2020: KAI.002.9388 (2008/2009); KAI.002.9692 (2009/2010); KAI.003.0001 [2010/2011]; KAI.002.9842 (2011/2012); KAI.003.0144 [2012/2013]; KAI.003.0278 [2014/2015]; KAI.002.9445 (2015/2015); KAI.003.0398 (2016/2017); KAI.003.0526 (2017/2018); KAI.003.0665 (2018/2019); KAI.003.0898 (2019/2020).

[6]   See Statements of Intent for the period 2009 to 2019/23: KAI.002.6922 (2008-2009); KAI.002.6982 (2009-2010); KAI.002.7062 (2010-2013); KAI.002.7138 (2011-2014); KAI.002.6850 (2012-2015); KAI.002.6791 (2014-2018); KAI.002.6806 (2017-21); KAI.002.7202 (2019-2023).

[7]   See Crown Entities Act 2004, s 49.

- identify and protect Māori interest in land, and recognise the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga; and

- partner and have early and meaningful engagement with Māori and offer Māori opportunities to participate in, urban development.

- An interim Outcomes Framework, which will guide the strategy development, decision making and services of Kāinga Ora. One of the high-level outcomes is partnering with Māori, to ensure Māori interests are protected and their needs and aspirations are met, and allows Kāinga Ora to fulfil its obligations in respect of Te Tiriti o Waitangi. This outcome is further broken down into intermediate outcomes:

  - Māori aspirations to develop and deliver opportunities on their whenua and participate in urban development are understood, supported and enabled so as to sustain future generations.

  - Whānau aspirations and wellbeing are enabled by a strengths-based approach.

  - Māori are engaged with early on and in a meaningful way, and their interests are identified and protected.

  - The obligations of Kāinga Ora in respect of Te Tiriti o Waitangi and related legislation are fulfilled.

- A list of Kāinga Ora key focus areas to achieve its outcomes. Homelessness is identified as a key focus area, with the role of Kāinga Ora summarised as follows:

  > We will work in close partnership with a range of government agencies, iwi, Māori, and community agencies to address the issue of the increasing number of people who are homeless. Kāinga Ora will play a critical role in supporting the Government's goal of ending homelessness, collaborating to design prevention initiatives to stop homelessness from occurring, and reducing reliance on emergency housing. We will deliver an increased supply of quality state, transitional and supported houses and will play a key role in implementing the Government's build programme, to increase the supply of affordable housing and to make affordable housing more widely available through additional support to households.

- Key deliverables for 2019/20, including (for example) to implement the Customer Programme, develop and embed Māori capability across the organisation to support Māori aspirations and meet its legislative obligations.

- High-level indicators to track progress, including targets by June 2023. In terms of housing delivery, the Statement of Intent 2019-23 confirms the commitment of Kāinga Ora to deliver at least 70 percent of the Government's Public Housing Plan, which seeks to increase public housing by 6,400 places by June 2022.

3.	**Outline of the process to develop this Policy / Programme**	**Development of HNZC's Strategic Plan**
		The formal direction for HNZC's Strategic Plan came from:
		• The Letter of Expectations from the Minister responsible for HNZC.[8]
		• The State Services Commission's Better Public Services strategy framework.[9]
		• The Social Housing Reform Programme (see separate evidential fact sheet).
		• The Crown Social Objectives for housing.[10]
		HNZC's Strategic Plan was also informed by HNZC's internal data about its tenant base, asset base and information on housing affordability.
		HNZC's Strategic Plan was developed alongside HNZC's Statement of Intent 2017-21 [**KAI.002.6806**]. The development of both HNZC's Strategic Plan and the Statement of Intent was driven by HNZC's Board. As required by the Crown Entities Act 2004, HNZC also consulted with the Minister Responsible for Housing New Zealand on the Statement of Intent.
		Development of the Statement of Intent 2019-23
		The development of the Statement of Intent 2019-23 was driven by the Kāinga Ora Board, in consultation with Te Tūāpapa Kura Kāinga and the Minister of Housing and Urban Development. There was no specific engagement with Māori in the development of the Statement of Intent. However, the Statement of Intent seeks to reflect the legislative operating principles and functions Kāinga Ora in the Kāinga Ora – Homes and Communities Act 2019 (**Kāinga Ora Act**), which outlines the clear expectations for Kāinga Ora to understand, support and enable Māori aspirations in urban development and to protect and support Māori interest: see section 13(1)(i) of the Kāinga Ora Act. The Kāinga Ora Act went through through public consultation before being enacted.
		Next steps – the 2021 Strategic Plan & Māori Strategy
		HNZC's Strategic Plan was developed before the establishment of Kāinga Ora. Kāinga Ora is currently developing a new Strategic Plan, expected to be completed in 2021. The Kāinga Ora Strategic Plan will be delivered alongside the Government

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[8] See Letter of Expectations from the Minister Response for HNZC/Kāinga Ora from 2009 to current: KAI.002.6757 (2008/2009); KAI.002.6737 (2009/10); KAI.002.6762 (2010/11); KAI.002.6768 (2011/12); KAI.002.6774 (2012/13); KAI.002.6782 (2013/14); KAI.002.6787 (2015/16); KAI.002.6741 (2016/17); KAI.002.6732 (2017/18); KAI.002.6753 (2018/19); KAI.002.6749 (2019/20). There is no new Letter of Expectation for 2020/21 (meaning the 2019/20 Letter of Expectation remains current.

[9] See https://www.treasury.govt.nz/information-and-services/state-sector-leadership/collaboration/better-public-services.

[10] See p 6 of the Strategic Plan [**KAI.002.6107**].

		Policy Statement for Housing and Urban Development (GPS), which is also being developed through 2021[11] The Kāinga Ora Strategic Plan will sit alongside, as well as draw key input from, the Kāinga Ora Māori Strategy.[12] The Māori Strategy is currently in development and has involved engagement with Māori through a number of Hui in late 2020 and early 2021.
4.	**Aims or Objectives of the Policy / Programme**	**HNZC's Strategic Plan** *Board Strategy* The long-term outcome of HNZC's Board Strategy was to achieve healthier and more stable families and communities through the housing continuum. The Board Strategy sought to achieve this through four medium term goals: • New Zealanders with social housing need have access to, and sustain, tenancies for their duration of need. • A healthy and diverse social housing sector able to meet demand. • The housing market provides affordable accommodation for more New Zealanders. • New Zealanders with emergency need have access to and sustain temporary accommodation for the duration of their need. The Board Strategy identified 5 priorities: 1) Increase the pace and scale of housing supply 2) Reduce HNZC's cost of building and, in turn, influence cost in the sector 3) Optimise the management of HNZC/s homes 4) Increase HNZC's understanding of customers and put their needs at the centre of decisions 5) Use HNZC's experience to influence performance in the housing sector *Organisational Strategy* The Organisational Strategy identified four key qualities of high organisational performance: 1) Being strategy driven 2) Having brilliant and engaged people

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[11]   See separate Evidential Fact Sheet on the Government Policy Statement on Housing and Urban Development (HUD).

[12]   See separate Evidential Fact Sheet on the Kāinga Ora Māori Strategy.

3) Being operational excellent

4) Being efficient

Statement of Intent 2019-23

The Statement of Intent 2019-23 sets out the strategic intentions of Kāinga Ora over a four-year period, as a new entity. The high-level outcomes identified in the Outcomes Framework set out in the Statement of Intent are:[13]

- Sustainable, inclusive and thriving communities support good access to jobs, amenities and services.

- Good quality, affordable housing choices meet diverse needs.

- Partnering with Māori ensures Māori interests are protected and their needs and aspirations are met and allows Kāinga Ora to fulfil its obligations in respect to Te Tiriti o Waitangi.

- The public housing customers of Kāinga Ora live well in their homes with dignity, stability, and the greatest degree of independence possible.

- Environmental wellbeing is enhanced and preserved for future generations.

- System transformation is catalysed and delivered.

The Outcomes Framework is interim only, and open for feedback as Kāinga Ora develops the understanding of its role under the development of legislation and policy settings. Kāinga Ora intends to produce a more enduring outcomes framework when it refreshes its Statement of Intent in 2022. The Māori Strategy (which Kāinga Ora is currently developing and engaging with Māori about)[14] will input into the new outcomes framework.

5.	**Outline of steps taken to implement the Policy / Programme**	The implementation of the HNZC's Strategic Plan (and now the Kāinga Ora new strategic direction as outlined in the Statement of Intent 2019-23) has involved the whole of the organisation, in collaboration with other agencies, partners and stakeholders. For example: • Kāinga Ora is increasingly integrating its understanding of tenant needs into its asset strategies for example, the Customer Strategy and customer satisfaction surveys (which are reported through the annual reports of Kāinga Ora). • Kāinga Ora has sought to perform a leadership role in the public and supported housing sector including a greater level of

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[13]   See [**KAI.002.7223**] at p 20.

[14]   Refer separate evidential fact sheet on the Māori Strategy.

		collaboration with others to achieve improved social outcomes (for example, collaborative work with the construction sector and number of public agencies including with Ara Poutama (Department of Corrections) and the Ministry of Social Development). • Kāinga Ora has supported affordable housing through greater engagement with the wider housing market. This has also involved direct contributions through the supply of land to the market and also management of home ownership products (for example First Home Grant, First Home Loan, Kāinga Whenua Loans and KiwiSaver first home withdrawals).[15] Kāinga Ora has provided emergency housing as part of the Ministry of Social Development's Government's cross-agency programme of work.
6.	**Outline of monitoring and evaluation built in to Policy / Programme**	HNZC's Strategic Plan identified long-term indicators of success, for example, percentage of customers satisfied with customer services, tenants in need sustaining their tenancies. Each time the Strategic Plan is refreshed, HNZC/Kāinga Ora assesses its performance against its long-term indicator targets and sets new targets (see for example HNZC's Strategic Plan [**KAI.002.6107**] at p 17). Similarly, the Statement of Intent 2019-23 identifies high level indicators to track progress, which are assessed when the Statement of Intent is refreshed. HNZC/Kāinga Ora also regularly reports internally (to the Board and the Executive Team) as well as to the Minister Responsible for Kāinga Ora on progress in relation to targets in (historically) the HNZC's Strategic and (now) the Statement of Intent 2019-23.[16]
7.	**Availability of quantitative or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims**	HNZC reported on the long-term measures of success in HNZC's Strategic Plan in its 2018/2019 annual report.[17] Kāinga Ora no longer reports on HNZC's Strategic Plan in its annual reports and instead reports progress against the Statement of Intent 2019-2023.[18]

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[15]   See separate Evidential Fact Sheets on each of these products.

[16]   See for example the 10 December 2020 quarterly report (for the period July 2020 to September 2020) [**KAI.002.8794**].

[17]   [**KAI.003.0665**].

[18]   [**KAI.003.0898**].

**KEI MUA I TE AROARO O TE RŌPŪ WHAKAMANA
I TE TIRITI O WAITANGI**

BEFORE THE WAITANGI TRIBUNAL WAI 2750

IN THE MATTER OF the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF Kaupapa inquiry into claims concerning
Housing Policy and Services

EVIDENTIAL FACT SHEET

SUSTAINING TENANCIES DRAFT POLICY SUITE

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

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1.	**Basic information**	**Title of policy / programme**: Sustaining Tenancies Draft Policy Suite (including drafts of: Sustaining Tenancies Policy Statement, Rent Debt Policy; Drugs Policy; and Managing Anti-Social Behaviour Policy (provisional title)) **Year introduced:** not introduced yet. **Administering agency(ies)**: Kāinga Ora-Homes and Communities (**Kāinga Ora**) **High level summary of policy/programme:** The Sustaining Tenancies Policy suite is a series of draft policies intended to enable/support a sustaining tenancies approach within Kāinga Ora. Sustaining tenancies means avoiding evictions wherever possible and instead supporting customers to remain in, or get back to, a state of wellbeing. This is realised through taking a customer-centred approach to tenancy management and referring to community and other support agencies, where required. **Overlapping/Related policies/programmes:**[1] • Customer Strategy and Customer Programme (see separate Evidential Fact Sheet) • Te Waka Urungi (see separate Evidential Fact Sheet) • Methamphetamine Policy (see separate Evidential Fact Sheet) • Anti-social Behaviour Guidelines (see separate Evidential Fact Sheet) • Accessibility Policy (see separate Evidential Fact Sheet) **Other agencies involved in development, implementation, or ongoing administration:** • New Zealand Police • Ministry of Health • Ministry of Social Development
2.	**Description of Policy / Programme**	The Sustaining Tenancies Policy suite [**KAI.002.6020**] consists of the following draft policies, explained in more detail below: • Sustaining Tenancies Policy Statement • Rent Debt Policy

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[1] Note, the Kāinga Ora Sustaining Tenancies Policy is distinct from Te Tūāpapa Kura Kāinga's Sustaining Tenancies policy (see separate Evidential Fact Sheet for that policy).

- Drugs Policy

- Managing Anti-Social Behaviour Policy

Draft Sustaining Tenancies Policy Statement

The Draft Sustaining Tenancies Policy Statement establishes principles to build positive and respectful relationships between Kāinga Ora and its customers, to help customers successfully sustain their tenancies.

Under the Policy Statement, Kāinga Ora commits to taking "all reasonable steps to sustain tenancies", meaning it will take a customer-centred approach and:

- tailor efforts to sustain a tenancy to the individual circumstances and needs of the customer and their household members;

- be persistent and attempt different approaches to engage with customers;

- actively identify local, suitable support and initiate a relationship between the customer and support provider;

- promote enhanced community capacity and leadership; and

- ensure individuals and whānau have a fit-for-purpose home.

The Policy Statement recognises Kāinga Ora has a lead role in identifying at risk tenancies and connecting customers to government and support agencies so timely interventions can be made. Support should aim to address root causes, such as a history of abuse, cultural disconnection and intergenerational poverty. This may manifest in a range of ways, including debt, addictions, poor mental health and behavioural issues. Kāinga Ora has a commitment to seek to sustain tenancies, avoiding exits into homelessness at all times[2] and seeks to help customers remain in, or get back to a state of wellbeing.

The following key principles are identified:[3]

- Trust – mutual trust and reciprocity is at the heart of the Kāinga Ora relationship with its customers.

- Dignity – every customer is an individual and a valuable member of society and will be treated with empathy, compassion and understanding.

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[2] Note, while Kāinga Ora is committed to avoiding exits into homelessness, evictions may sometimes still occur. However, Kāinga Ora has a general commitment to sustaining tenancies in all cases, where possible. This includes a commitment to making alternative Kāinga Ora homes available to a tenant where an eviction has been absolutely necessary (see the provisionally titled draft *Managing Anti-Social Behaviour Policy Escalation Pathway* for further information).

[3] The draft Policy Statement states the key principles are "in reflection of the Treaty of Waitangi". This statement signals the intention of Kāinga Ora that the final policy will accord with the principles of the Treaty of Waitangi. As discussed in section 3 below, Kāinga Ora has not yet carried out a Treaty of Waitangi assessment or engaged with Māori in relation to the draft policies.

- Cultural Respect – the values of social structures of people of all cultural and ethnic backgrounds will be respected and Kāinga Ora will work with customers to gain mutual understanding and outcomes.

- Accessibility – Kāinga Ora services will be accessible to all customers and they will be able to access information about their rights and entitlements.

- Adaptability – Kāinga Ora will accommodate customers' changing needs over the life of their tenancy, including transferring customers to homes that better meet their needs.

- Empowerment – Kāinga Ora will empower its customers to live independent and fulfilling lives and provide opportunities for them to thrive.

Draft Rent Debt Policy

The Draft Rent Debt Policy recognises that, as many Kāinga Ora customers live on very low incomes and have little or no money in reserve, small unexpected life events can push a person or family into debt that can be difficult to recover from. As a responsible public housing landlord, Kāinga Ora is committed to working alongside our customers from the very beginning of a tenancy to manage potential rent related concerns, including (for example):

- Kāinga Ora will seek to understand customers' histories relating to debt as part of their pre-placement interview

- Throughout the duration of a tenancy, Kāinga Ora will:

  o Revisit the customer at structured intervals to offer support and increase understanding of their responsibilities.

  o Actively work to prevent rent debt by understanding customers' needs and ensuring the correct supports are in place to help them to manage their debt and sustain their tenancies.

  o Use the Kāinga Ora understanding of the Income Related Rent (**IRR**)[4] process to help customers navigate the system effectively.

  o Ensure that any missed rent payments are detected at the earliest possible opportunity, and that customers are made aware straight away, providing the best opportunity to get things back on track as quickly as possible.

  o Work alongside customers to identify which actions are necessary to ensure as far as possible that debt does not escalate. For example, if a customer contacts Kāinga Ora early to indicate that they may not be able to pay their rent, this may mean encouraging them to make partial payments to minimise their debt, if possible.

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[4]   See separate evidential fact sheet on the Social Allocation System (MSD).

- Kāinga Ora will work with customers to resolve rent related issues, including work with the customer on a plan that will support resolution of the issues affecting their ability to sustain their tenancy.

The policy is supported by an escalation pathway [**KAI.002.6033**]. Under the escalation pathway, enforcement payment options[5] can only be recommended following assessment by the Kāinga Ora Review Group.

HNZC/Kāinga Ora previous approach to debt

Historically, serious debt has been a ground for termination of the tenancy, although Housing New Zealand Corporation (**HNZC**)/Kāinga Ora has always looked to sustain tenancies rather than terminate for reasons of debt. Prior to 2018, Tenants whose tenancy is terminated on the grounds of debt could also be suspended from eligibility to apply for state housing for a period of 12 months – although there were opportunities to have a suspension waived.[6] In 2018 Kāinga Ora ceased using the services of debt collection agencies as well as no longer utilising the suspension functionality. Over the years Kāinga Ora has placed greater emphasis on the conversations around debt rather than the debt itself, conversations that put the customer at the heart of the decision and conversations had with care and kindness.

Draft Drug Policy

The Draft Drug Policy outlines that Kāinga Ora will view the use of illegal drugs, and the potential harm they cause, primarily as a health and wellbeing issue, rather than a tenancy compliance issue. A home that is not vulnerable to the threat of termination can provide a stable platform that supports customers to address other issues in their lives such as harmful use of alcohol and other drugs.

Kāinga Ora will take the following approach when it becomes aware of illegal drug use:

- Kāinga Ora will not end tenancies for illegal drug use; however, information relating to criminal activities may be passed on to the Police.[7]

- If a customer discloses concerns about their own use of alcohol or other drugs, Kāinga Ora will support them by providing them with information about appropriate support services, or referring them to Te Waka Urungi.

- Kāinga Ora will treat the safety and wellbeing of our people and contractors as paramount.

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[5] Enforcement payment options include for example, taking a rent payment directly from a customer's benefit or applying for a court order to have this amount deducted from the customer's pay. Kāinga Ora also has voluntary options for managing debt and is investigating other interventions to proactively avoid rent debt and its escalation.

[6] See separate evidential fact sheet on Customer Placement, including suspensions and waivers.

[7] See [24] – [29] of the Draft Policy for discussion of the circumstances where Kāinga Ora staff must, or may, pass information on to the police.

		• Kāinga Ora will continue to notify the Police of any immediate safety risks and any information related to drug manufacture and supply.
		HNZC/Kainga Ora previous approach to drugs
		Between 2004 and 2018, HNZC/Kāinga Ora had a zero-tolerance approach to drugs. The zero-tolerance approach meant there was sufficient evidence for a person to be charged by the Police in court and to be then found guilty, generally HNZC/ Kāinga Ora would apply to the Tenancy Tribunal to terminate the tenancy.[8]
		Draft Managing Anti-Social Behaviour Policy
		The (provisionally titled) Draft Managing Anti-Social Behaviour Policy outlines the approach Kāinga Ora will take when working with customers, other agencies and community providers to prevent and manage anti-social behaviour. Kāinga Ora antisocial behaviour policies since 2009 and the draft Managing Anti-Social Behaviour Policy are discussed in a separate evidential fact sheet on the Kāinga Ora Anti-Social Behaviour Guidelines.
3.	**Outline of the process to develop this Policy / Programme**	**Background to the development of the draft policies**
		Move to a sustaining tenancies approach
		HNZC's shift to a sustaining tenancies approach was the result of the Government's commitment in 2016/17 to strengthening HNZC's social mandate. HNZC articulated the sustaining tenancies approach in its 2017-2021 Statement of Intent, which explained the approach as "ensur[ing] that New Zealanders with social housing need have access to, and sustain, tenancies for their duration of need" [**KAI.002.6806**]. This approach was further enforced through embedding social objectives in its governing legislation through the Kāinga Ora: Homes and Communities Act 2019, which required it to take on new roles beyond its core functions of tenancy and asset management.
		Policy development to imbed sustaining tenancies approach
		HNZC/Kāinga Ora began the cultural shift to a sustaining tenancies approach in 2017, acknowledging the broader social cost when a tenant (and possibly their family) were evicted with no home to go to. Many Kāinga Ora staff are already implementing a sustaining tenancies approach when working with customers. However, the Sustaining Tenancies Policy suite is being developed to support greater consistency in practice.
		The draft policies have been informed by the following:

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[8]   See generally the separate evidential fact sheet on the Kāinga Ora policy for managing methamphetamine. Note, the Methamphetamine Policy is not being reviewed as part of the Sustaining Tenancies Policy Suite because it already incorporates a sustaining tenancies approach.

- Advice from subject matter experts from across the organisation, including front-line staff, Te Waka Urungi (intensive tenancy management service) and Te Kurutao, Group Māori.

- Analysis of Housing New Zealand rental arrears and damage data.

- International best practice, including best practice guidance from the Australian Housing and Urban Research Institute – 'A Sustaining Tenancies Approach to Managing Demanding Behaviour in Public Housing'.[9]

- Engagement with key organisations and Government agencies, including the Drug Foundation, New Zealand Police, Ministry of Health, Ministry of Social Development and the National Drug Intelligence Bureau.[10]

In November 2020, the Public Housing Committee (a sub-committee of the Kāinga Ora Board) approved the draft policies to be released as interim guidance to staff, following integration of the Committee's feedback [**KAI.003.1259**]. The draft policies have not yet been provided to staff as work is ongoing to integrate the Committee's feedback, as well as the steps outlined below.

Next steps

Engagement with Māori and Treaty of Waitangi analysis

The draft policies as provided are yet to be consulted on externally with key stakeholders. External engagement and/or consultation, including with Māori, will take place before the policies are finalised.

A number of factors have contributed to engagement with Māori not yet having taken place:[11]

(a) The Sustaining Tenancies approach was being shaped prior to the introduction of the Kāinga Ora – Homes and Communities Act 2019, with further work on the draft policies required after the legislation was passed to ensure alignment with the new mandate of Kāinga Ora.

(b) At an organisational level, Kāinga Ora is also working to lift Māori capability and develop a central function within the organisation that provides a te ao Māori worldview and subject matter expertise. Te Kurutao – Group Māori (operations arm) is working across the organisation to increase capability to engage with iwi in general, with some new positions designed to enable this yet to be filled.

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[9] See https://www.ahuri.edu.au/__data/assets/pdf_file/0012/2046/AHURI_Final_Report_No103_A_sustaining_tenancies_approach_to_managing_demanding_behaviour_in_public_housing_a_good_practice_guide.pdf

[10] Where available, best practice guidance from key agencies and organisations was also considered (for example, best practice guidance from the Drug Foundation and the New Zealand Police).

[11] See generally the discussion in appendix to the Draft Sustaining Tenancies policy [**KAI.002.6020**].

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Prior to engagement occurring, Kāinga Ora is carrying out an initial assessment of whether the policies reflect Kāinga Ora Treaty obligations and partnership principles as outlined in the Kāinga Ora – Homes and Communities Act 2019.

Health and safety review and aligning the policies to changes to the Residential Tenancies Act

Kāinga Ora is also conducting a health and safety review of the draft policies and carrying out work to align the policies to recent changes to the Residential Tenancies Act (the latter specifically applies to the provisionally titled Draft Managing Anti-Social Behaviour Policy).

Development of other policies, guidelines and processes

Ultimately, it is intended that the Sustaining Tenancies Policy suite will include policies on the following issues (which will replace existing policies and/or guidance):[12]

- placement

- managing anti-social behaviour

- rent debt

- referral to social service providers

- drugs

- ending tenancies

The suite of policies will include practical guidance, including escalation pathways with options for responding to increasing need. Processes and procedures will also be developed to give more detailed guidance.

Using the advice and guidance of Te Kurutao, Kāinga Ora will engage with Māori on the development of the above policies, and will also seek input from Māori on whether any additional policies require review/development to support a sustaining tenancies approach.

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<tr><td>4.</td><td>**Aims or Objectives of the Policy / Programme**</td><td>

The Sustaining Tenancies Policy suite is intended to enable/support a sustaining tenancies approach within Kāinga Ora, as required by the Kāinga Ora–Homes and Communities Act 2019 (s 14(b)(iii)). The Sustaining Tenancies approach acknowledges

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[12] Existing documents that will likely be replaced include: Operational Policy on Pre-Placement Interview; Placement Guidelines; Anti-Social Behaviour Guidelines; Operational Policy Referral to Social Service Providers.

		the greater overall social cost of a vulnerable household leaving public housing when they do not have somewhere better to go. This broader cost outweighs the cost to Kāinga Ora, or the Crown, of sustaining their tenancy.[13]
5	**Outline of monitoring and evaluation built in to Policy / Programme**	Appropriate monitoring/evaluation of the policy suite is being considered and will be incorporated into the final policies.

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[13]   see update to Public Housing Committee on Customer Strategy Implementation Progress at [31] **[KAI.002.7595]**.

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IN THE MATTER OF	the Treaty of Waitangi Act 1975
AND	
IN THE MATTER OF	Kaupapa inquiry into claims concerning Housing Policy and Services

EVIDENTIAL FACT SHEET
TENANT HOME OWNERSHIP PROGRAMME

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

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1.	Basic information	**Title of policy / programme**: Tenant Home Ownership Programme (previously called the Sale of State House Programme), including the Tenant Home Ownership Grant
		Year introduced: 2009
		Still current?: Yes
		Administering agency(ies): Kāinga Ora-Homes and Communities (**Kāinga Ora**)
		High level summary of policy/programme: Programme enabling Kāinga Ora tenants to purchase eligible Kāinga Ora properties.
		Overlapping/Related policies/programmes:
		• Asset Management Strategy (see separate evidential fact sheet)
		• Long-term Investment Plan (see separate evidential fact sheet)
		• Assistance to Housing Independence Programme (see separate evidential fact sheet)
		Other agencies involved in development, implementation, or ongoing administration:
		• The Treasury
		• Ministry of Social Development
		• Office of Treaty Settlements (as it then was)
		• Te Puni Kokiri
		• Department of Building and Housing (as it then was)
		• Department of Prime Minister and Cabinet
		• Department of Internal Affairs
		• Department of Conservation
		• Land Information New Zealand

2.	**Description of Policy / Programme**	The Tenant Home Ownership Programme enables some Kāinga Ora tenants to purchase the Kāinga Ora house they live in.[1] All Kāinga Ora tenants are eligible to participate in the Programme. However, not all Kāinga Ora properties are eligible for sale. Houses identified as strategic properties for redevelopment or that need to be retained to meet the other strategic objections of Kāinga Ora are excluded.[2] As part of the assessment of whether a property is eligible, Kāinga Ora will consider whether the sale would put additional pressure on the supply in the area. If the property is available for sale, the price is determined by a market valuation of the property, carried out by a registered Valuer.
		Information available to tenants
		A brochure about the Tenant Home Ownership Programme is available for download on the Kāinga Ora website (see HNZ16297-Tenant-Home-Ownership-Jan-2020.pdf (kaingaora.govt.nz) [**KAI.001.0289**]). The Tenant Home Ownership Programme has also been featured in the HNZC/Kāinga Ora customer newsletter. Tenants can enquire about the possibility of purchasing their tenancy by calling the Kāinga Ora Contact Centre, completing a web form on the Kāinga Ora website or through their Tenancy Manager.
		The Tenant Home Ownership Grant
		Since December 2015, tenants in some areas who wish to purchase a Kāinga Ora property are eligible for the Tenant Home Ownership Grant, which is equal to up to 10% of the purchase price of selected Kāinga Ora houses up to a maximum of $20,000. The Tenant Home Ownership Grant is not available in areas where there is high demand for state houses. These areas include Auckland, Wellington City, Christchurch, Hamilton and Tauranga. The Tenant Home Ownership Grant is not intended to cover the entirety of the tenant's deposit and in most cases tenants will need to supplement it with other sources such as Kiwisaver withdrawals.
		Goal to increase successful Māori tenant participation
		Properties in respect of which Māori have a right of first refusal (**RFR**) under a Treaty Settlement are excluded from the Tenant Home Ownership Programme,[3] unless the relevant iwi grant a Deed of Waiver. Individual iwi have their own criteria to decide whether or not they will grant a Deed of Waiver.

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[1]   See Operational Policy for Sale of State Houses for Tenants [**KAI.002.8038**]. Note, In the early years of the programme the tenant could sometimes be offered another vacant property if the one they were living in was not available for sale. However, this was halted in 2016 because of high demand for social housing and a lack of vacant properties.

[2]   See property exclusions in Operational Policy [**KAI.002.8038**]). The other exclusions are: unit titles, apartments and duplex properties (where Kāinga Ora is the sole owner), houses that incur goods and services and income tax liabilities if sold (except where no substantial cost to the Crown is incurred), Houses on-non Kāinga Ora Land; houses with no individual certificates of title or with inadequate title; properties of historical significance to Kāinga Ora (for example the first state house built), houses subject to known public work, properties that may be land banked for future Treaty of Waitangi Settlements and Houses subject to right of first refusal under an Iwi Deed of Settlement.

[3]   See [31] of the Operational Policy for Sale of State Houses for Tenants [**KAI.002.8038**]

		Te Anga Whakamua (the Kāinga Ora interim Direction Document)[4] establishes a goal to increase successful Māori tenant participation in the Tenant Home Ownership Programme, and notes this could be achieved if Kāinga Ora offers to underwrite loans to Māori tenants who have a RFR over their home. Kāinga Ora underwriting the loan would enable to the RFR holder to waive their right with the confidence that if the tenant defaults on their loan they will still have an opportunity to purchase the property off Kāinga Ora. Work on this initiative is underway. **Restrictions on tenants who purchase their property** Tenants who purchase a state house are not eligible to apply for state housing for a period of three years (however this suspension can be waived on the basis of hardship). In addition, the standard Sale and Purchase Agreement for a tenant who purchases a state house with a Tenant Home Ownership Grant restricts sale/rental of the property for a period of three years. **Related programme** Under the First Home Programme properties deemed surplus to requirements were made available for sale on the open market to first home buyers. The decision whether a property was surplus was made by the Regional Portfolio Managers. In the second half of 2016 a ministerial instruction was received that properties could only be made available for sale under the scheme if no demand in the area could be demonstrated. The First Home Programme has not been formally discontinued, however in practice it is no longer operational because rising demand for social housing means the "no demand" criteria cannot be satisfied.
3.	**Outline of the process to develop this Policy / Programme**	The Tenant Home Ownership Programme was approved by Cabinet in 2009.[5] The programme was introduced primarily to encourage tenants who were paying market rent, or in areas of low-cost housing, out of the renting cycle and into home ownership, with financial gains from the sales to be reinvested to target priority applicants in high demand areas. As part of the development of the Tenant Home Ownership Programme, (then) Housing New Zealand Corporation consulted with the Treasury, Ministry of Social Development, Office of Treaty Settlements (as it then was), Te Puni Kokiri, Department of Building and Housing (as it then was), Department of Prime Minister and Cabinet, Department of Internal Affairs, Department of Conservation. Kāinga Ora has been unable to find evidence that targeted engagement or consultation with Māori occurred in the development of the Tenant Home Ownership Programme.
4.	**Aims or Objectives of the Policy / Programme**	The objectives of the Tenant Home Ownership properties are to: • enable tenants to purchase their home.

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[4] [**KAI.002.7840**], see separate Evidential Fact Sheet on Kāinga Ora Māori Strategy, Te Anga Whakamua (Interim Direction Document), Te Au Roa (Māori Strategic Plan 2007-2012).

[5] See Cabinet Paper "Sale of Housing New Zealand Corporation Properties to Tenants", CAB (09) 365 provided to Cabinet in advance of it approving the Tenant Home Ownership Programme [**KAI.003.3322**].

		• enable households to stay connected to their communities whilst achieving homeownership.
		• help to promote mixed tenure communities in state housing areas.
		• free up capital that could be better targeted to those in higher need.
5.	**Outline of monitoring and evaluation built in to Policy / Programme**	Kāinga Ora tracks the number of properties sold and their value in monthly reports provided to the Performance and Analytics and Government Relations groups within Kāinga Ora.
6.	**Availability of quantitative or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims**	Since the inception of the Tenant Home Ownership Programme, Kāinga Ora has sold 451 properties with a market value of $111,176,383, with an average of 37 sales per annum.[6] In the current financial year, Kāinga Ora has sent an average of 94 information packs to enquiring tenants per month, and from that received an average of 22 applications to purchase per month.

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[6]   See Tenant Home Ownership Property Pipeline 2010 to date (2020-21) [**KAI.002.9317**].

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IN THE MATTER OF the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF Kaupapa inquiry into claims concerning Housing Policy and Services

EVIDENTIAL FACT SHEET
TE WAKA URUNGI

(KĀINGA ORA)
5 Poutū-te-rangi | March 2021

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1.	**Basic information**	**Title of policy / programme**: Te Waka Urungi / Intensive Tenancy Management, including predecessors Social Support Referrals Policy and Case Management Service.
		Year introduced: 2018
		Still current?: Yes
		Administering agency(ies): Kāinga Ora – Homes and Communities (**Kāinga Ora**).
		High level summary of policy/programme: Te Waka Urungi is a service within Kāinga Ora that works alongside the most complex customers of Kāinga Ora to assist them to access suitable services provided by other agencies/in the community. Te Waka Urungi also provides specialist support and guidance to tenancy managers working with all Kāinga Ora customers.
		Overlapping/Related policies/programmes:
		• Customer Strategy and Customer Programme (see separate Evidential Fact Sheet)
		• Sustaining Tenancies Draft Policy Suite (see separate Evidential Fact Sheet)
		Other agencies involved in development, implementation, or ongoing administration: Te Waka Urungi works alongside, and sometimes refers customers, to a range of different Crown agencies (for example, MSD), community support services and NGOs.
2.	**Description of Policy / Programme**	**Support for complex customers**
		Te Waka Urungi consists of 24 people with specialist skill sets who engage with the most complex customers of Kāinga Ora and source and navigate appropriate support services.[1] Customers are referred to Te Waka Urungi by Senior Tenancy Managers, usually on the recommendation of a Tenancy Manager and approved by an Area Manager.
		Te Waka Urungi aims to build a relationship with customers who may be experiencing a high level of need as a result of ongoing stressors in the home. Te Waka Urungi use a Whare Tapa Wha approach to understand the underlying 'issues' which need addressing and develop a plan to address wellbeing at an individual, Whānau, Household level:
		- Taha tinana (physical health)
		- Taha wairua (spiritual health)

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[1]   See Guideline for the Te Waka Urungi Service [**KAI.002.5994**].

- Taha whānau (family health)

- Taha hinengaro (mental health)

A kaiwhakaora/ Family Link Specialist is assigned to work with the customer to develop a care plan, which involves connecting the customer to appropriate government and/or other services and assisting them to maintain links to available services. Customers are provided with information about their local services to enable them to make decisions around what the right support might look like and when the support is needed. Suitable services could include (where determined by the customer) kaupapa Maori services.

Generally, Te Waka Urungi refers customers to existing services provided by other agencies and NGOs. There is an annual funding pool of $1M, to procure services to meet identified gaps, however this has not been used as to date Te Waka Urungi have been able to identify existing services to meet need.

Te Waka Urungi continues to provide support to the customer and household until they are engaged with a service and/or at such time that the household circumstances stabilise. Te Waka Urungi will also continue to monitor the customer/household for a period of time, to ensure they have appropriate support.

The Te Waka Urungi service operates nationally.

Mentoring and support for tenancy managers across Kāinga Ora

In addition to directly supporting customers, Te Waka Urungi provides mentoring and support for tenancy managers across Kāinga Ora, with the goal of enabling them to engage and work differently with customers over time. For example, where required, Te Waka Urungi staff meet with tenancy managers to discuss challenges they may be having with engaging customers; undertake joint customer visits with tenancy managers to provide support; and assist tenancy managers to identify services to refer customers to.

Impact of COVID-19 on delivery of programme

COVID-19 has impacted the ability of Te Waka Urungi to have face-to-face visits with customers, which can mean it takes longer to build a relationship with customers. Te Waka Urungi have explored alternative ways of identifying and understanding the customer's needs, for example working with others in the community who already have a relationship with the person such as a worker from an NGO the customer is already engaged with or had a previous relationship with.

		Predecessor policies to Te Waka Urungi
		Social Support Referrals Policy **(2012 – 2018)**
		The Social Support Referrals Policy was Housing New Zealand Corporation's (**HNZC**) policy between 2012 and the introduction of Te Waka Urungi. Under that policy, HNZC's tenancy managers did not themselves provide social support to customers but referred them to relevant agencies that could assist them. The trigger for the Social Support Referrals Policy was the Minister's Letter of Expectations in 2011 which stated that HNZC should focus on its core business of managing the state house portfolio and its tenants [**KAI.002.6768**].
		Case Management service **(2001 – 2012)**
		Between 2001 and 2012, HNZC operated a Case Management Service which provided specialised assistance to HNZC customers (including customers on the wait list for housing) with complex needs who faced significant barriers accessing and/or sustaining suitable, adequate and affordable accommodation.[2] The Case Management Service was similar to Te Waka Urungi, in that Case Managers worked intensively with each customer to create an action plan to address identified barriers or issues which were hindering their ability to sustain housing. Case Managers built relationships with other government agencies and NGOs and referred customers as appropriate. Case Managers also sought to educate the public on housing options, services and processes, for example by giving community presentations in fora such as prisons and teen parent units.[3] The Case Management Service was disestablished with the change in policy to the Social Support Referrals Policy.
3.	**Outline of the process to develop this Policy / Programme**	Te Waka Urungi was developed as part of the shift to a sustainable tenancies approach by Kāinga Ora in 2017.[4] The sustainable tenancies approach recognises the broader social cost that is incurred when a tenancy is ended with the occupants having nowhere else to live. As the shift began, it was acknowledged that there was an immediate need to provide better support for tenants and improved outcomes for vulnerable whānau living within Kāinga Ora homes. Te Waka Urungi was developed to respond to that need.
		The service was launched relatively quickly in response to the growing needs of the customers of Kāinga Ora and front-line teams. Therefore, a 'launch and learn' approach was adopted to build momentum and gain early learning and insight, followed by an external review (see discussion at part 7 below).
4.	**Aims or Objectives of the**	The overall objective of Te Waka Urungi is to support customers to live well in their homes and communities, by helping them to

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[2]   See Case Management Overview [**KAI.002.0429**].

[3]   Case Management Service Case Managers also delivered the Suitable Homes Service (see the separate Evidential Fact Sheet concerning the Accessibility Policy).

[4]   See the separate Evidential Fact Sheet concerning the Sustaining Tenancies Draft Policy Suite.

	Policy / Programme	access existing services. Te Waka Urungi recognises that stressors in the home (such as mental health, family harm, financial stress) impact on the customer's ability to maintain their tenancy. For example, symptoms of stressors in the home include anti-social behaviour or poor financial management.
		Related objectives of Te Waka Urungi are:
		• Creating a joined-up approach across 'agencies' to identify shared customers and break down silos.
		• Providing an environment for services to wrap around our customers, their whānau and household members.
		• Building on a Whānau by Whānau (bespoke to each whānau), street by street, community by community approach.
		• Establishing strong and enduring relationships within and across communities.
		• Providing regional autonomy and leadership.
		• •Sharing of information with other agencies to inform data-led decision making.
5.	Outline of steps taken to implement the Policy / Programme	Te Waka Urungi was launched through internal messaging to staff as well as a series of roadshows to relevant Government Agencies and NGOs to advise of the service. One of the roadshows was at Papakura Marae.
6.	**Outline of monitoring and evaluation built in to Policy / Programme**	Regional Managers and Area Managers receive a monthly report on:
		• referrals received;
		• referrals accepted/declined/waitlisted; and
		• referral reasons; referrals closed out.
		Reporting is used to track progress for customers who are currently under Te Waka Urungi and identify service need/gaps in regions. In addition to the monthly reporting, Kāinga Ora is currently developing a reporting dashboard to collect Te Waka Urungi data.[5]
7.	**Availability of quantitative or qualitative data to demonstrate success or failures of the Policy /**	**Kōtātā Insight Limited review** Te Waka Urungi was independently evaluated by Kōtātā Insight Limited in September 2019 [**KAI.002.1786**]. As part of the evaluation, Kōtātā Insight Limited interviewed Te Waka Urungi and other relevant Kāinga Ora staff. The evaluation recorded as

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[5] A reporting dashboard is a centralised way of understanding case data at a national level.

	Programme to achieve its stated aims	at 31 March 2019, 426 cases had been referred to Te Waka Uringi, with 75 cases on the waitlist and 267 open cases. One third of the referred cases identified as Māori (see p 23). The evaluation also conducted an analysis of quantitative data and case notes, although it noted this analysis was limited (see p 8). Five case studies were included in the report, based on case notes. The evaluation concluded overall Te Waka Urungi was viewed as a positive initiative which was still evolving. The evaluation made a number of recommendations, including to improve cultural competencies and responsiveness. The evaluation recommendations are being considered as part of the development of the Customer Programme. **Other data** For the financial year 2019/2020, Te Waka Urungi Te Waka Urungi supported 294 tenants, with 157 tenants successfully returning to regular tenancy management.

IN THE MATTER OF	the Treaty of Waitangi Act 1975
AND	
IN THE MATTER OF	Kaupapa inquiry into claims concerning Housing Policy and Services

EVIDENTIAL FACT SHEET
RETROFIT PROGRAMME

(KĀINGA ORA)

5 Poutū-te-rangi | March 2021

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1.	**Basic information**	**Title of policy / programme and years of operation**
		Retrofit Programme[1] (2019 to current), including:
		• Predecessor programmes: Rheumatic Fever Prevention Programme (**RFPP**) (2011-current); Warm and Dry Homes Programme (2015-2019); RightSize: (2013-2015); and Healthy Housing (2000-2013).
		• Related programme: the Healthy Homes Programme (2019-current).
		Administering agency(ies): Kāinga Ora – Homes and Communities (**Kāinga Ora**)/Housing New Zealand (**HNZ**)
		High level summary of policy/programme:
		The Retrofit Programme is a significant part of the Kāinga Ora asset renewal programme – driven off its Asset Management Strategy. The strategy sets asset quality targets that ensure all state-homes are warm, dry, safe and functional, and sets timeframes that then drive specific work programmes. The Retrofit Programme is one of our work programmes that will deliver those homes, with an initial three-year programme, after which it will be evaluated to determine effectiveness.
		Overlapping/Related policies/programmes:
		• Asset Management Strategy (see separate evidential fact sheet)
		• Long-term Investment Management Plan (see separate evidential fact sheet)
2.	**Description of Policy / Programme**	Under the Retrofit Programme, Kāinga Ora is planning to upgrade through an extensive "renovation" Kāinga Ora properties to a "modern" standard.[2] This will involve 29,100 homes being retrofitted over a period of 30 years. The "modern" standard includes ensuring all homes:
		• Meet health and safety and legislative requirements.
		• Are maintained at an appropriate condition.
		• Have long run building components renewed (e.g. replacing roofs, replace drains).[3]
		• Meet Kāinga Ora warm and dry standards.

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[1] In some documents this programme is referred to as the Renewal (Rebuild and Retrofit) Programme.

[2] See Baseline Long-term Investment Plan 2019 [**KAI.002.6470**]. See also the Retrofit Programme [**KAI.002.2714**].

[3] Long run components are only replaced when they are at or nearing the end of their useful life.

- Have improved performance standards, including:

  o A fully insulated building envelope

  o Draught exclusion

  o Double glazing

  o Energy efficient heating

  o Ventilation

  o Damp proofing

- Have modern kitchens and bathrooms.

- Where possible a functional and practical internal layout (e.g. open planned living). Not always practical.

- Where possible have accessibility improvements.

- Are more energy efficient.

- Have environmentally prudent systems and processes.

The Retrofit Programme is intended to be a three-year programme initially, which will be evaluated at the end of the period to determine progression. If it is continued, the programme will involve a total investment cost of $24.2billion over 30 years, of which $5.7billion relates to baseline capitalised maintenance and $18.5billion relates to the upgrade and renewal programme.[4]

Related programmes: *Healthy Homes Programme (2019-current)*

Under the Healthy Homes Programme, Kāinga Ora will ensure all Kāinga Ora properties meet the Healthy Homes Standards by 1 July 2023.[5] The Retrofit Programme is complementary to this programme – it meets or exceeds the Healthy Homes Standards while also involving significant other works.

Predecessor programmes

Rheumatic Fever Prevention Programme (2011-current)

The Rheumatic Fever Prevention Programme (**RFPP**) was established by the Ministry of Health in 2011 to prevent and treat

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strep throat infections, which can lead to rheumatic fever.

The RFPP connects eligible families to community providers, assesses and plan interventions for their homes and implements those interventions with suppliers. HNZ / Kāinga Ora is one of 9 community providers which receive eligible referrals for at risk whānau and undertake one or more housing interventions as required. Housing interventions may consist of:[6]

- Mechanical extraction (kitchen range hood, bathroom exhaust fan).

- Heating.

- Carpet (bare floors in bedrooms, living room and hallways).

- Insulation.

- Curtains (tracks and thermal performing curtains in bedrooms, living rooms and dining rooms).

- Other work such as: sealing draughty windows/doors; clearing blocked spouting/downpipes & fixing site drainage; ensuring plumbing fixtures and drain pipes operate correctly; trimming sun blocking vegetation; ensuring property sub floor ventilation; repairing exterior surfaces for weather tightness; wet wall linings on bathroom ceilings; hot water cylinder wraps and pipe lagging to enhance energy efficiency.

Warm and Dry Homes Programme (2015-2019)

The Warm and Dry Homes Programme [**KAI.002.1920**] was a programme to update Kāinga Ora properties to the following standards:

- Triple weave curtains in living areas, dining rooms and bedrooms.

- A fixed form of heating in the living area, where an acceptable heating source is not present.

- An extraction fan in the bathroom and a range hood in the kitchen (for three-bedroom properties and larger).

- No bare floors – carpet or vinyl installed over bare floors.

The Warm and Dry Homes Programme also had an education component aimed at helping tenants understand what they can do to keep their home warm and dry.

The Warm and Dry Programme ended in 2018/2019 and was integrated into the Healthy Homes Programme.

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[6]   See [**KAI.002.0306**].

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Healthy Housing (2000-2013)

The Healthy Housing Programme [**KAI.002.0809**] was a joint initiative between Housing New Zealand and District Health Boards. Under the programme, representatives from Housing New Zealand and District Health Boards carried out joint assessments of identified Housing New Zealand properties to:[7]

- Determine any housing and/or health needs that the household may have and options for addressing their needs.

- Link the tenant with appropriate services from other agencies (where the person affected agrees to this) and assist those agencies to determine how best to assist the tenant.

- Monitor and record usage of hospital and health services by the household.

- Plan for future sustainable health and housing service outcomes.

- Identify or review a tenants housing needs under the Housing Restructuring (Income Related Rents) Amendment Act 2000.

The plan developed following the joint assessment could include (for example):

- Request for or follow-up on maintenance work ensuring homes and warm, dry and safe.

- Healthy Environment work, including ventilation and insulation solutions (see Addressing Healthy Environments Procedure [**KAI.002.0837**].

- Scope for property interventions/modifications to enable people to live independently and safety within their homes.

- Arrange for Needs Assessment to be completed for housing transfer where it's deemed the current property no longer meets the needs of the whanau for example due to overcrowding (see Addressing Overcrowding Procedure [**KAI.002.0824**].

- Referral to the case management service for more complex needs and issues.

The Healthy Housing Programme ended in 2013, with its wrap up starting in 2010. However similar work continued to be carried out under the RFPP and (from 2015) the Warm and Dry Homes Programme. Kāinga Ora has been unable to identify any evidence of engagement/consultation with Māori about the decision to wrap up the programme.

RightSize Project (2013-2015)

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[7]   Priority sites were identified by District Health Boards and Housing New Zealand through data on rates of infection disease, hospital admissions, overcrowding and social deprivation.

		The RightSize Project involved (in South and West Auckland):
		• adding one or two bedrooms to existing three-bedroom properties, to cater for large and/or overcrowded families; and
		• building new 2-bedroom properties for small families, couples and/or singles.
		The RightSize Project was a pilot with funding for three years, ending in 2015. There was no engagement/consultation with Māori about the decision not to roll out the Project.
3.	**Outline of the process to develop this Policy / Programme**	The Retrofit Programme began as a pilot launched in 2018, with a focus on condition improvement and thermal upgrades to 66 homes in Hutt Valley. In 2019, the Retrofit Programme was expanded with a schedule to roll out nationally, and modernisation and accessibility improvements added. The Retrofit Programme currently has funding for a period of three years, from 2019-2022. HNZC/Kāinga Ora consulted with Te Tūāpapa Kura Kāinga and the Treasury on the development of the pilot. HNZC/Kāinga Ora did not specifically engage with Māori on the development of the pilot.
4.	**Aims or Objectives of the Policy / Programme**	The objectives of the Retrofit Programme are: • Social housing continues to be available to meet long-term needs (by extending the life of properties). • Reduced operating costs for tenants. • Improved health and wellbeing of tenants. • Improved tenant wellbeing resulting from functional structural layout changes and amenity. • Improved social inclusion and economic outcomes. • Safer homes leading to fewer injuries and reduced ACC payments. • Reduced maintenance costs. • Improved customer satisfaction / improved reputation. • Better matched homes for tenants. • Reduced greenhouse gas emissions. • Reduced waste to landfills.
5.	**Outline of monitoring and evaluation built in to**	The Kāinga Ora 2020/21 Statement of Performance Expectations [**KAI.002.9149**] includes targets relating to the Retrofit Programme, including a target of completing at least 500 houses as part of the retrofit programme in 2020/21. Kāinga Ora

	Policy / Programme	reports on progress under the Retrofit Programme in annual reports to Ministers.
		The Retrofit Programme will be evaluated before the conclusion of the three-year funding period to determine the future of the programme. As part of the design of the evaluation process, Kāinga Ora will consider appropriate engagement with Māori and other stakeholders, in accordance with the Partnership and Engagement Framework (refer separate Evidential Fact Sheet on the Partnership and Engagement Framework).
6.	**Availability of quantitative or qualitative data to demonstrate success or failures of the Policy / Programme to achieve its stated aims**	To date, the Retrofit Programme (not including the Hutt Valley pilot) has delivered more than 250 retrofits.
		Data is also available about the success of the predecessor programmes:
		• The Healthy Homes Programme was independently evaluated after its first, second and third years. The third-year evaluation [**KAI.002.5128**] concluded the Healthy Homes Programme had a continuing positive impact on housing-related diseases, conditions and wellbeing.
		• Under the RightSize programme, there were 530 Bedroom extensions and just under 300 infills.
		• As at October 2015, around 2000 families had been referred to the RFPP. 95% of referrals were for Māori or Pacific Children [**KAI.002.0278**]. Data is also available about the impact of the RFPP as a whole, indicating a 45 percent decrease in first episode rheumatic fever hospitalisations from 2009/2011/2012 data to 2015.
		• 37,103 homes have been upgraded under the Warm and Dry Homes programme since 2015.