Executive Summary

This paper outlines the intent behind what will go into the Disabled Person’s Assembly Constitution. The approach outlined considers what we must do to be compliant with the Incorporated Societies Act 2022 and tidies up our current Constitution to ensure it's easy to follow and has accessible language for our community.

The Drafting Guidelines give you a sense of what will be covered in the proposed Constitution. This paper helps us to test what we’re proposing to members before writing and finalising the proposed constitution.

Each part outlines the following:

* What is in our current Constitution or if it's new.
* Why it’s important
* What the proposed approach we will be; and
* What the Constitution will say.

The Options Paper has seven parts to it. These parts align with the parts that will be in the Constitution. They are:

* Preface: outlining the history of the organisation and the Constitution
* Part one: Introduction
* Part two: Membership
* Part three: Meetings of the Members
* Part four: Governance
* Part five: Disputes Resolution
* Part six: Additional Processes: like finances and changing our rules

You may like to engage with the full document or engage with only the parts that you are interested in. However, there are some areas we would like your specific feedback on.

The survey link that is accessible here outlines what those areas are, but also provides opportunity for you to feedback on any other areas you are interested in.

## Feedback and Engagement

Feedback on the Drafting Guidelines is open until Tuesday 15 July 2025. We encourage you to fill out the survey provided or send your feedback to [info@dpa.co.nz](mailto:info@dpa.co.nz)

If you have any questions you want to ask to clarify about the Drafting Guidelines, you can submit a question, and we will endeavour to answer within 2 working days. You can submit questions in the [Question form](https://docs.google.com/forms/d/e/1FAIpQLSeqBf04HCu274hOqwkkNkmsbFmrlTkuWRCdkKxasu7bfWUD-A/viewform).

All questions with their answers will be published on our [Frequently Asked Questions](https://dpanz.sharepoint.com/sites/comms/Shared%20Documents/General/07%20Projects/Constitution%20update%202025/Options%20Paper%20documents/DPA%20Constitution%20Review%20Options%20Paper%20-%20Preface.docx) page.

Videos have been prepared to give you an overview of the Drafting Guidelines. The videos have captions and an NZSL interpreter. [Watch the videos.](https://www.infoexchange.nz/feedback-on-the-options-paper/)

**The Incorporated Societies Act 2022, other legislation, and DPA**

In this document, we refer to the Act which is the Incorporated Societies Act 2022. Other legislation is referred to in full (for example the Charities Act 2005).

For the purposes of this document and the Constitution, we refer to DPA as the Assembly.

## The Proposals for your consideration

Below you will find a summary of the proposals we would like for you to consider particularly in your feedback. These areas are as follows:

1. Community and Interest Groups proposal
2. Governance Leadership structure proposal
3. Governance Term
4. Membership rights: voting and eligibility for NEC.
5. Disputes Resolution Process

## Proposal: Community and Interest Groups

The proposal is to disestablish the Regional Executive Committees. Regional Executive Committees have served us well over the years; however, it’s time for a new way of working that is manageable and supports members to connect in meaningful ways either in communities or in interest areas like policy and advocacy.

Community and Interest Groups are informal groups of members who wish to connect on a regional, community or topic of interest. They’re member led and established but can use national office staff to support them if needed. The staff of DPA are considering how to best support them operationally as we develop the Constitution.

Some things that NEC have considered:

* Setting aside time in some NEC meetings to consider issues or papers raised by Community and Interest Groups
* What support might be needed from our operations team and how feasible that is
* What other role NEC or DPA can play in the formation of these groups.

## Proposal: Governance and Leadership structure

There are three options to explore for our governance leadership at DPA. These options are outlined below.

### Proposal one: Same Structure with clear position descriptions

The first proposed approach is to keep the same structure as the Assembly currently has with a President, Immediate Past President, President Elect, elected and appointed members.

An important part of strengthening this option will be that the President-elect and the Immediate Past President would in effect be the Vice-President during those parts of their term. All NEC positions will have positions descriptions that will be managed by the NEC. This will ensure expectations of the roles are set and provide a supportive, collaborative leadership approach between the roles.

Another key change will be strengthening the structures around the governance through the use of bylaws, a charter, subcommittees, and other supports to achieve diversity, representation and inclusion in our governance structure.

### Proposal Two: A Shared Leadership Approach

This approach is focused on having well-defined roles of either a co-Chair model or President / Vice-President Model. There would be no Immediate Past President or President Elect.

In this proposal we would implement a 3-year term for all NEC positions. This is longer than the current term of 2-years.

The benefits of this approach are:

* The terms of these positions would be aligned, and therefore, the relationship between the two leaders would be developed over a longer time.
* With clear roles and the responsibilities being well-defined, the decision making, particularly for day-to-day affairs is shared. ly for day-to-day affairs is shared.
* This model is one that could develop towards a bi-cultural co-chair structure, including Tangata Whenua and Tangata Tiriti leaders, strengthening how DPA gives effect to their commitment to Te Tiriti o Waitangi.

### Proposal Three: Chair and Deputy Chair appointed by the NEC

In this proposal, the NEC members would be elected or appointed, as per the Constitution. However, the NEC at its first meeting following the AGM would appoint their Chair and Deputy Chair.

This model of working would have the NEC choosing their leader, rather than the leaders being elected directly by the members. In this model the NEC could choose to have a shorter period for those leadership positions or have the leadership position rotating amongst NEC members enabling the NEC to retain strong institutional knowledge across the NEC. This model can help with succession planning and has the benefit of shared decision making in leadership.

In this proposal we also propose a longer term of 3 years for NEC members.

## Proposal: Governance Term – Three (3) years.

In proposals two and three above about the structure of the NEC, we propose a longer governance term of three (3) years.

A three (3) year governance term supports:

* Strengthened relationships across the NEC over a longer period of time, supporting good decision making and ability to work on longer-term goals and strategy as a group.
* Succession planning that is better supported with the ability to retain strong institutional knowledge.
* a shared leadership approach by helping to spread the responsibility across all NEC members.

## Proposal: Membership rights and eligibility for NEC

Consideration has been given to how members obtain their rights as members including when they might be eligible to run for the NEC.

The recommended approach is that:

* Members’ rights accrue after a 90 day, or 3-month provisional period from when they apply to become a member.
* After 3-months they have the right to vote at members’ meetings and in the elections.
* The NEC would still have oversight over member applications, but it would be delegated to the Operations team to manage day to day. The NEC would periodically review membership applications, to provide assurance that those being admitted to DPA membership meet the eligibility requirements.

The NEC is keen to understand further members’ preferences for any stand-down periods for persons applying to be members. The NEC wants to know what the right length of stand down would be best. The proposals are:

* Rights to vote in member meetings: either 3 months or 6 months.
* Rights to stand in an election for the NEC: either 3, 6 or 12 months.
* Appointed positions on the NEC can be filled by any member as long as they are not disqualified from being an officer of the Assembly.

## Proposal: Disputes Resolution Process

There is no Disputes Resolution Process outlined in the current Constitution that meets the requirements of the Act. This can either be something that the Assembly designs for itself, or it can adopt the Safe Harbour provisions in the Act.

First and foremost, the Disputes Resolution Process must meet requirements of the Act which include:

* 1. The process must be consistent with Natural Justice,
  2. How a dispute can be raised,
  3. What your rights are if you raise a dispute, and
  4. What your rights are if the dispute is against you.

We encourage you to read the Disputes Resolution Process as outlined in Part Five of the Drafting Guidelines.