

Briefing for decision

Future of workforce regulation: Updated discussion document and process

Date due to MO: 14 February 2025 **Action required by:** 17 February 2025

Security level: IN CONFIDENCE **Reference:** H2025061169

To: Hon Simeon Brown, Minister of Health

Consulted: N/A

Proactive release: This **title** is proposed by the Ministry of Health for proactive release:

Contact for telephone discussion

Name	Position	Telephone
Maree Roberts	Deputy Director-General, Strategy Policy and Legislation	s 9(2)(a)
Dr Diana Sarfati	Director-General of Health	

Minister's office to complete:

Noted

Seen

Needs change

Withdrawn

See Minister's Notes

Overtaken by events

Comment:

Briefing for decision

Future of workforce regulation: Updated discussion document and process

Security level: IN CONFIDENCE **Date:** 14 February 2025

To: Hon Simeon Brown, Minister of Health

Purpose of report

1. This briefing provides you with an updated future of workforce regulation discussion document and Cabinet paper. It also seeks your agreement to some key decisions on the engagement process.

Summary

2. Following your feedback, the attached discussion document and Cabinet paper reflect updated patient-centric framing and include examples of potential patient benefits. This is provided to allow you to begin Ministerial consultation on 17 February.
3. We are making updates concurrently to design elements of this document and producing a one-page summary.
4. Patient centric framing has also been applied to engagement planning. The primary objective for this engagement is now to give patients the opportunity to hear about this policy and understand why it matters for them.
5. We will provide you with the updated documents and a briefing outlining the planned engagement approach on 25 February.
6. We recommend a 6-week consultation period given that hearing from the public is the focus. ^{s 9(2)(f)(iv)}

Recommendations

We recommend you:

- a) **Note** the attached discussion document and Cabinet paper, rewritten to be more patient focused, and provided to allow you to begin Ministerial consultation on 17 February **Noted**
- b) **Note** that the Ministry is putting this document through a design process and producing a one-page summary, which will be provided to you on 25 February **Noted**
- c) **Note** that the Ministry is planning for a recalibrated consultation process, by ensuring that information is provided through patient focused channels **Noted**
- d) **Note** that to provide enough time for the public to engage with the content of the discussion document, we recommend 6-weeks of public consultation **Noted**

e) **Note** that the Ministry will provide you with a briefing on the engagement approach on 25 February **Noted**

f) **Indicate** your preference for length of public engagement

i) 6-week engagement timeframe s 9(2)(f)(iv) **Yes / No**
s 9(2)(f)(iv) (recommended)

OR

ii) 4-week engagement timeframe s 9(2)(f)(iv) **Yes / No**
s 9(2)(f)(iv)

Maree Roberts
Deputy Director-General
Strategy Policy and Legislation
Date:

Hon Simeon Brown
Minister of Health
Date:

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Future of workforce regulation: Updated discussion document and process

Background

7. On 28 January, we provided you with a briefing *Future of workforce regulation: Overview and next steps* (H2024059044), with a key decision sought on whether you would like to consult publicly ahead of taking policy decisions to Cabinet.
8. On 4 February, you indicated a preference for public consultation with a decision to be made at Cabinet.
9. This work has been signalled in the Government's quarter one action plan for 2025 with a commitment to "take Cabinet decisions on next steps to reform health workforce regulatory settings."
10. This briefing provides you with an updated Cabinet paper and responds to your request to reframe the discussion document to be patient centric and highlight examples of how regulatory changes may improve patient experience of the health system.
11. We have also reflected your feedback on a patient centric framing across the engagement planning for this work, including recommending a 6-week timeframe for public consultation.

Objectives for consultation

12. Taking account of your feedback on putting the patient at the centre of this process, our key objectives for this engagement are:
 - a. People understand the purpose of the review and how it could impact them.
 - b. People can engage with the consultation without previous technical knowledge.
 - c. We communicate how the changes to health workforce regulation align with the Government's priorities.

Document updates

13. The discussion document has been significantly rewritten so that patients are able to engage with the policies. Changes include:
 - a. significantly more up-front framing highlighting the relevance of this work for patients
 - b. refocusing content for things that patients will want to engage with, rather than policy detail
 - c. illustrative examples from a first-person patient point of view.
14. We have largely referred to "people" rather than "patient", to capture the widest range of public experience. We can update wording as you wish.

15. We will also be updating the design of the document to improve readability. A designed version will be provided to you on 25 February ahead of lodgement of the papers on 27 February.
16. A one-page summary document will also be provided with key information in an easy to read format for patients and non-practitioners.
17. The Cabinet paper has also been reframed to reflect your direction on public consultation.

Engagement process

18. We have been recalibrating our engagement approach towards communicating the proposals to patients. We will provide you with a more fulsome briefing on engagement on 25 February.
19. We will work with your office to understand your preferred level of involvement in engagement, so we can prepare the necessary collateral.

Process choices

20. We seek your decision on two process choices, timelines for both are provided at **Annex One**.
21. Given this engagement is being recalibrated towards communicating to the public, we recommend a 6-week engagement because:
 - a. We have not to date prioritised communicating with patients on this work: this period will be the first time we do so. We will be starting from a very low base-line of understanding and awareness.
 - b. The target audience is now significantly larger, and it will take more time for the information to get to patients using our patient facing channels.
 - c. 6-weeks is the standard period of engagement with the public, for a discussion document of this nature.
 - d. This approach would also provide the additional benefit of responding to sector feedback and risks highlighted in departmental consultation that 4 weeks may not be sufficient.

22. s 9(2)(f)(iv)

23.

Ongoing discussions with regulatory authorities

24. As part of this work, we have had discussions with the regulatory authorities on technical improvements to workforce regulation. These engagements are essential to identify how operational aspects of the Act can be improved for the regulators, workforce and the public.

25. We currently plan to further engage the regulatory authorities, prior to Cabinet approval of the public consultation. This will allow us to progress discussion of the technical amendments before the public consultation on more significant change begins.
26. We will keep you updated on the outcomes of these discussions in the weekly report.

Next steps

27. Following your consideration, ministerial consultation can begin on 17 February for one week.
28. Lodgement of the paper on 27 February will allow you to take decisions to Cabinet Social Outcomes Committee on 5 March.
29. We will work with your office over the coming weeks to understand the involvement you would like to have in this engagement.
30. A more fulsome briefing on the engagement process will be provided to you on 25 February.
31. Our next engagement with the regulatory authorities on technical issues is planned for 25 February.

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Annex One – Process options tables

6-week engagement process [Recommended]

	Date	Milestone
	14 to 17 February	Minister to consider discussion document and Cabinet paper, and provide any feedback to Ministry
Cabinet decision 1: Approval to release discussion document	17 to 24 Feb	Ministerial consultation
	24 to 25 Feb	Any changes made to papers following Ministerial consultation
	27 Feb	Lodge papers
	5 March	Cabinet Social Outcomes Committee (SOU)
	10 March	Cabinet confirmation
Engagement	12 March to 24 April	Consultation
	24 April to 8 May	Submissions and policy analysis (note public holidays Easter 18 th and 21 st , and ANZAC 25 th)


s 9(2)(f)(iv)

4-week engagement process

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Minister's notes

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