



# Questions and Answers – Transferring responsibility of claims from Oranga Tamariki to the Ministry of Social Development's (MSD's) Historic Claims team

## Why was the decision made to transfer responsibility of claims from Oranga Tamariki to MSD Historic Claims?

Minister Sepuloni (who is responsible for the Ministry of Social Development) and Minister Martin (who is responsible for Oranga Tamariki) have agreed that MSD Historic Claims will manage all claims from people who have experienced abuse or neglect while in the care, custody or guardianship of the Child Welfare Division, the Department of Social Welfare, the New Zealand Children and Young Persons Service or Child, Youth and Family before 1 April 2017.

The change makes sense for claimants, as going forward:

- the Ministry of Social Development will be responsible for claims relating to Child, Youth and Family (and its predecessor agencies such as Children, Young Persons and Their Families Service and the Department of Social Welfare)
- Oranga Tamariki will be responsible for claims relating to Oranga Tamariki.

**Note:** Young People who are working with Oranga Tamariki (including being in care) can make a claim with MSD about abuse or neglect that took place before 1 April 2017. There are no restrictions preventing this.

A person whose claim or complaint relates to events after 1 April 2017 can raise these concerns with Oranga Tamariki.

## When will responsibility transfer to MSD Historic Claims?

From 7 October 2019, responsibility for managing claims about events that happened before 1 April 2017 will transfer to the MSD Historic Claims team.

## How will this affect claimants?

Existing claimants with Oranga Tamariki will be advised of the change in process before being introduced to the MSD Historic Claims team. Any new claimants who approach Oranga Tamariki about abuse or neglect that took place before 1 April 2017 will be referred to MSD's Historic Claims team to register their claim.

Claimants will be added to MSD's Historic Claims waitlist based on the date their claim was registered with Oranga Tamariki. Their claims will be assessed under the process Historic Claims uses now. More information about the MSD Historic Claims process can be found at <https://www.msd.govt.nz/about-msd-and-our-work/work-programmes/historic-claims>.

## **How does someone know which agency to contact about registering a claim?**

If someone's concerns relate to events that happened before 1 April 2017, they should contact MSD Historic Claims by:

- Phone: 0800 631 127
- Email: [HistoricClaims@msd.govt.nz](mailto:HistoricClaims@msd.govt.nz); or
- Postal address: PO Box 1556, Wellington 6140.

If someone's concerns relate to events that happened after 1 April 2017, they should contact Oranga Tamariki. Claimants can visit <https://www.orangatamariki.govt.nz/contact-us/feedback> and complete an online form or by:

- Phone: 0508 326 459
- Email: [feedback@ot.govt.nz](mailto:feedback@ot.govt.nz); or
- By completing a feedback form at their local Oranga Tamariki—Ministry for Children office.

However, please be assured that we are operating a "no wrong door" approach, where people who approach either MSD Historic Claims or Oranga Tamariki will be connected with the right agency.

## **What happens if someone wants to raise concerns about events that happened while involved with Child, Youth and Family and is still a client of Oranga Tamariki?**

Young people who are working with Oranga Tamariki (including being in care) can make a claim with MSD about abuse or neglect that took place before 1 April 2017. There are no restrictions preventing this.

MSD Historic Claims and Oranga Tamariki are currently working together to develop our approach to allow MSD to respond to claims while ensuring that any current safety and wellbeing issues can be responded to by Oranga Tamariki. MSD may need to share their concerns with Oranga Tamariki, as Oranga Tamariki may have some responsibilities to ensure that the young person is safe.

## **What happens if someone's concerns span before and after 1 April 2017 (ie while involved with Child, Youth and Family and Oranga Tamariki)?**

In this situation, part of the claim sits with MSD Historic Claims and part sits with Oranga Tamariki. Should a claim arise in this group we will be managing these on a case-by-case basis, and we will work with the claimant to make the process as simple as possible. MSD Historic Claims and Oranga Tamariki will work closely together to resolve a claim, taking a claimant-centered approach. This could include sharing information

(with the claimant's consent) to prevent a claimant having to tell their story more than once, meeting jointly with a claimant where appropriate and identifying the most appropriate agency to keep the claimant updated about the progress of their claim.

## **Will the processes for managing claims be different for the two agencies?**

MSD Historic Claims and Oranga Tamariki will work together to ensure that processes for claimants are as consistent as possible regardless of which agency is assessing their claim:

- We will develop an agreement that sets out how MSD Historic Claims and Oranga Tamariki will work together
- Oranga Tamariki will adapt the policies and processes from Historic Claims, where appropriate, to make sure its approach to managing claims is as consistent as possible.