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Report



MINISTRY OF SOCIAL
DEVELOPMENT
TE MANATU WHAKAHIATO ORA

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To: Hon Louise Upston, Minister for Child Poverty Reduction
File Reference: REP/25/10/839

Additional advice to Child and Youth Ministers on key scope decisions for responding to the Dame Karen Poutasi review

Purpose of the report

- 1 This report provides additional advice on and seeks agreement to the proposed workforce scope for mandatory training and reporting, as part of the Government's response to the Dame Karen Poutasi Review.
- 2 The report also seeks agreement to the original proposed scope to Child and Youth Ministers for designing and implementing an enhanced report of concern process when a sole parent is remanded in custody or sentenced to a term of imprisonment.

Executive summary

- 3 At the Child and Youth Ministers meeting on 15 October 2025, Ministers discussed the proposed scopes for an enhanced report of concern process (recommendations 1, 2 & 6) and a mandatory reporting and training regime (recommendations 8 & 9).
- 4 Ministers requested further information on the scope of recommendations 8 & 9. Officials have also provided additional advice regarding recommendations 1, 2 & 6 to clarify a point raised in the meeting, and confirm the original scope.
- 5 There are operational feasibility limitations of implementing an enhanced report of concern process when a sole parent is in custody for a short period of time (less than 48 hours). New Zealand Police have existing systems and protocols, including making urgent reports of concern to Oranga Tamariki,

where they have concerns in these circumstances about the safety of a child. These are outlined in the body of this paper.

- 6 The *Children's Act 2014* regulates most, but not all, people providing services to children. There are distinctions between regulated and un-regulated services; between workers and volunteers; and between core children's workers and non-core children's workers. Table 1 outlines examples of these. It is noted there is also other legislation that supports the regulation of those working with children.
- 7 There are options that Ministers could choose from to widen the proposed scope for recommendations 8 and 9: these are outlined in Table 2, with their relevant risks and benefits described.
- 8 Officials are currently preparing the November Cabinet paper s 9(2)(f)(iv). We are seeking Ministerial feedback on the options presented in this paper by 29 October 2025 to inform these. There will be an opportunity to discuss the advice further at the Child and Youth Ministers meeting on 11 November 2025.

Recommended actions

It is recommended that you:

- 1 **note** the clarification regarding an enhanced report of concern process and its operational feasibility for short-term remand (less than 48 hours)
- 2 **agree** to the scope proposed at the Child and Youth Ministers meeting on 15 October for the enhanced Report of Concern process, covering Opposition to Bail (Police), Immediate Needs Assessment (Corrections), Corrections data match (MSD) and application for a change to assistance (MSD)
 **agree / disagree**
- 3 **agree** that this scope does not include short-term remand
 **agree / disagree**
- 4 **note** the advice on the difference between core and non-core children's workers; regulated and non-regulated services; and children's workers and volunteers under the *Children's Act 2014*

5 **indicate** your preferences for the scope for mandatory training s 9(2)(f)(iv) s 9(2)

	Core children's workers	Non-core children's workers
<p><i>Offered online training 2hrs</i></p> <p>Mandatory online training (up to 2 hours)</p> <p>Mandatory in-depth training (6-8 hours, possibly in person)</p> <p>s 9(2)(f)(iv)</p>	<p><i>Yes/No</i></p> <p><i>Yes/No</i></p> <p>s 9(2)(f)(iv)</p>	<p><i>Yes/No</i></p> <p><i>Yes/No</i></p> <p>s 9(2)(f)(iv)</p>

6 s 9(2)(f)(iv)

7 s 9(2)(f)(iv)

agree / disagree

Hannah Kerr

23/10/25

Hannah Kerr
Director
Child Wellbeing and Poverty Reduction
Group

Date

[Signature]

2025/10/23

Hon Louise Upston
Minister for Child Poverty Reduction

Date

Background

- 1 The Government has accepted all recommendations of the Dame Karen Poutasi review (the Review) to strengthen the children's system [CAB-25-MIN-330]. At the meeting on 15 October 2025, Child and Youth Ministers discussed the proposed scopes for an enhanced Report of Concern (ROC) process (recommendations 1, 2 & 6) and a mandatory reporting and training regime (recommendations 8 & 9).
- 2 In relation to an enhanced ROC process, Ministers agreed to key components of the proposal, but also requested extending the scope to include an automatic report of concern where a sole parent is held in custody for a short period of time (overnight or for a weekend). However, officials advise that this approach is not operationally feasible.
- 3 In relation to the proposed scope for a mandatory training and reporting regime, Ministers agreed key planks of the scopes relating to the types of harm and the phased implementation approach. Additional advice was requested on the workforces impacted, including:
 - 3.1 the key differences between core children's workers and non-core children's workers; and
 - 3.2 the potential for the voluntary sector to be included in the scope.

Clarification of Agency Intervention When Sole Parent Remanded in Custody for Short Period

- 4 At the Child and Youth Ministers' Meeting on 15 October 2025, the scenario of short-term Police custody was raised. We can confirm that NZ Police, in partnership with relevant agencies including Oranga Tamariki, has systems and protocols in place to respond to urgent scenarios in which the children of a sole carer in Police custody need care.
- 5 Currently, if a NZ Police officer is concerned about the welfare of dependent children when a sole carer is arrested or detained, a ROC will be made to Oranga Tamariki. If dependent children do not have any short-term care options, these will be arranged with Oranga Tamariki until there is an outcome for the sole carer who is in custody following arrest.
- 6 If the scope of recommendations 1, 2 and 6 was broadened to include short-term custody, there is a risk that multiple reports of concern about the same child could be made by different agencies, further overwhelming the system. Default application of the strengthened ROC process to short-term Police custody may also impede the ability of agencies to triage and respond to children who may require a more urgent response. The Family Court may

experience flow-on operational challenges through increases in urgent applications for interim orders (with associated actual costs and procedural delays).

- 7 Given these considerations, agencies recommend that Child and Youth Ministers confirm the proposed scope recommended in the slides presented at the meeting on 15 October 2025, which was for an automatic report of concern to be triggered at the following points, creating an overlapping safety net:
 - 7.1 **Opposition to bail** (Police) - Police oppose bail and a defendant is remanded in custody.
 - 7.2 **Immediate Needs Assessment** (Corrections) - Assessment of prisoner's needs upon arrival at Corrections facility.
 - 7.3 **Corrections data match** (MSD) - Match between Corrections data and MSD client data to identify clients whose entitlement may have changed due to incarceration.
 - 7.4 **Application for or change to assistance** (MSD) -Request made in respect of or including a child who is not the applicant's.

Mandatory training and reporting aim to increase the safeguarding capabilities of key figures in the children's system

- 8 Safeguarding children is everyone's responsibility. Mandatory training and mandatory reporting have distinct but complementary purposes that, together, can strengthen the safeguarding system.
- 9 **Mandatory child protection training** has dual purposes. Firstly, it intends to support the implementation of mandatory reporting by improving the knowledge and capabilities of mandated reporters in their additional responsibilities. Secondly, it aims to strengthen child safety more generally by upskilling relevant workers on:
 - 9.1 identifying signs of abuse
 - 9.2 responding to signs or disclosures of abuse
 - 9.3 sharing information about children under s66C of the *Oranga Tamariki Act 1989* (per recommendation 7 of the Review).
- 10 A **mandatory reporting** regime recognises that certain professionals have greater safeguarding responsibilities due to the nature of their work and relationships with children.

- 11 The scope proposed at the Child and Youth Ministers meeting on 15 October for mandatory training and reporting is set out in Appendix 1. It focused on those who are paid for their work and who are providing a regulated service, as defined under the Children's Act. This is outlined further below.

There are different levels of regulation for people who work with children

- 12 The Children's Act 2014 defines children's workers, who are further defined as either non-core children's workers or core children's workers. All children's workers must be safety checked, including police vetting, to reduce the risk of harm to children. These workers will or do provide services within a regulated service and are paid for their time and services.
- 13 A *regulated service* is prescribed in Schedule 1 of the Act and includes a wide range of education, health, welfare and other services that are funded directly or indirectly by government and/or local authorities.
- 14 The definitions under the Children's Act are described here to aid Ministers with decisions related to the scope of mandatory training and reporting. They are not intended to present a comprehensive picture of all vetting requirements¹.

The different levels of regulation are because non-core children's workers and core children's workers have different levels of responsibility for children

- 15 In 2024, almost 290,000 police vets were completed for current and prospective children's workers. Within this, there were approximately 240,000 core worker vets and almost 50,000 non-core worker vets completed.²
- 16 The key difference between the roles of core and non-core children's workers is the level of responsibility they have for the children in their care. A core worker is someone whose work means they may be alone with or

¹ Sector-specific legislation and some professional body registration requirements also include vetting requirements. There is existing work under the Crown Response to the Royal Commission of Inquiry into Abuse in Care that will provide Ministers with advice on workforce safety, including safety checking and vetting requirements.

² This number does not represent the total number of workers, and only represents vets completed – including initial vets for new workers and refresher vets required every 3 years. Not all vets result in employment. Officials are undertaking further work to break down these numbers further.

have *primary responsibility for, or authority over, the child or children present and is the only children's worker present.*³

- 17 A non-core children's worker is defined as a children's worker who is not a core children's worker. Therefore, a non-core children's worker may have regular or overnight contact with a child or children, but they do not have primary responsibility for, or authority over, that child/those children.
- 18 The police vetting requirements are the same; however, *specified offences*⁴ in a person's criminal history require a formal exemption from the Core Workers Exemption Panel to proceed with employment. Where these same offences are recorded for a non-core worker, the employer has discretion as to whether to hire/continue employment of the worker. The employer must still conduct a risk assessment and ensure that person is safe to work with children, and the employer is accountable for this decision.

Volunteers and those working with children in *non-regulated services* are not defined as children's workers in the Children's Act, however, may currently be vetted and/or complete child protection training

- 19 Within the community, there are many people who volunteer their time providing services that are similar in nature to some of those provided by children's workers. For example, community sports coaches, private tutors and parents attending a school camp. There are no current estimates or available data to indicate the size of these groups.
- 20 While some organisations may choose to undertake a police vet for their volunteers (at a cost), this is not required under the Children's Act.
- 21 Within organisations that do not receive funding, directly or indirectly, from government or local authorities, workers providing services to children that are akin to *regulated services* are not subject to the Children's Act requirements.
- 22 Some services, not defined as a regulated service, will be accredited by Social Service Accreditation, Te Kahui Kahu, and have Level 2 accreditation status which does include expectations that " *the organisation provides services in a manner consistent with section 6 of the Children, Young Persons, and Their Families Act 1989 (CYP&FA), where services reflect the principle that the welfare and interests of the child or young person are the first and paramount consideration*" and " *the organisation has a process for*

³ s23(1) *Children's Act 2014*

⁴ Schedule 3, *Children's Act 2014*

<https://www.legislation.govt.nz/act/public/2014/0040/latest/whole.html#DLM5501909>

dealing with allegations of abuse and situations that raise concerns about the safety of a client or associated community member.”

- 23 It is understood that child protection training for staff is carried out routinely to meet the Social Sector Accreditation Level 2 standards and most organisations have a two-yearly review cycle to confirm their ongoing eligibility and compliance with the standards.
- 24 The following table provides examples of how people who work with children are and are not captured by the Children’s Act’s requirements. More examples can be developed, subject to Ministers’ requests.

Table 1: Examples of core children’s workers and volunteers providing services to children

Example 1: ABC School

ABC School has 32 registered teachers, 7 teacher aides, 1 administrator, and 1 guidance counsellor. The administrator sometimes accompanies children to the sick bay or supervises them while they are waiting to be picked up by their parents. These staff are all **core children’s workers** – as during the course their work they are at times the only children’s worker present or have primary responsibility for the children.

A plumber visits the school during school hours to fix a blocked toilet. The plumber does not have regular contact with children in the course of their work and has no responsibility for and is not alone with the children at ABC School. The plumber is **not a children’s worker of any kind**.

Example 2: 123 Health services

123 Health Services is a primary health care provider that employs 4 GPs, 2 nurses and 1 Nurse Practitioner. All these staff are, at times, alone with children in the course of their work or have responsibility for children when a parent/caregiver is not present. These staff are all **core children’s workers**.

Example 3: Volunteer football coach

Mr X coaches a local under 10s football team. His daughter is in the team, but he is not related to any of the other children. Training is held every week during the football season, and the children in the team are dropped off by their parents/caregivers and are usually not present for the training. The coach volunteers his time and is not paid for his services. The local council provides grant funding to the football club to support its services.

Mr X has primary responsibility for the children in the team while they are attending the training session. While the football club is considered a *regulated service*, Mr X does not meet the definition of *work* as he is in a voluntary role. Therefore, Mr X is **not a children’s worker of any kind**.

Example 4: Private tutor working for a well-known company

Mrs Y is a tutor who works for a large tutoring company with 60+ locations across New Zealand. Mrs Y is employed to provide mathematics tutorials to children at her organisation's offices most days during term. The company she works for does not have a child protection policy and does not vet its workers. Children are usually dropped off by their parents/caregivers and are not present for the tutorial. Mrs Y receives a salary for her services. The company Mrs Y works for does not receive funding from the government or local authorities for the tutorials, and as such the company is exempt from the Children's Act requirements.

Mrs Y has responsibility for the children while they are attending tutorials. However, as the tutorials are a non-regulated service (not funded by government or local authorities), Mrs Y is **not a children's worker of any kind.**

There are options to widen the originally proposed scope of mandatory training and/or reporting, with associated benefits, risks and implementation considerations

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

28. Ministers asked for further advice about widening the scope of the proposed regime to all children's workers, as well as those in the voluntary sector.
29. In developing the further advice, officials have sought to continue to balance the primary objective of maximising child safety outcomes with the likely increase in reporting and demand for response services, and the associated risks this may present.
30. Given the distinct purposes of training and reporting, described in paragraphs 8-11, we have considered each separately. The table on pages 12-13 summarises our analysis.

Mandatory training will strengthen the children's system by upskilling workers, as well as supporting a mandatory reporting regime.

31. One of the key purposes of mandatory training, as outlined in paragraph 9, is to strengthen child safety by upskilling those who regularly work with children.
32. An effective approach to training is one that prioritises recurrent and comprehensive learning, is directed to the right areas of the current and future workforce and where implementation is phased to maximise benefits to child safety while mitigating system risks.

33. We consider training needs to include both appropriate and accessible online and in-person training for those in scope.
34. In the first instance, we recommend this involve a short, online module that can be rolled out quickly and at low-cost, covering foundational information for safeguarding children, and made mandatory through existing levers where possible.
35. This provides an opportunity to take immediate action while developing more comprehensive, training, which ideally would be in-person. In-person training has been emphasised as critical to a quality, effective training approach to underpin mandatory reporting, but will require funding to implement in many workforces. This will require further discussion with government agencies and the wider sector as to the feasibility of in-person training for all workforces, and if different approaches are required, without compromising quality. Collaboration with iwi/Māori and the community will be required to develop this training and its delivery.

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

The benefits of a broader scope for mandatory training outweigh the risks

37. Having further considered the scope of a mandatory training regime, we consider there are benefits of a broader scope than that initially presented to Ministers, to upskill the wider children’s workforce.
38. We recommend that mandatory training cover non-core children’s workers as well as core children’s workers. We note that there are proportionally much lower numbers of non-core children’s workers than core children’s workers (see paragraph 15, above) – however, it will still be important to take a phased approach to implementation, to manage the risks to child safety associated with an increase in ROCs beyond the capacity of Oranga Tamariki and the broader system.

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

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

s 9(2)(f)(iv)

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

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

For mandatory reporting, overseas evidence emphasises the importance of starting with a narrow approach

- 43. Mandatory reporting recognises that certain professionals have greater safeguarding responsibilities due to the nature of their work and their relationship to the children in their care.
- 44. As we have previously advised Ministers, there is evidence that, if implemented carefully, mandatory reporting can increase the number of substantiated ROCs, particularly in relation to sexual abuse.
- 45. To be effective, mandatory reporting needs to follow the introduction and embedding of an effective mandatory training regime, as described above. In addition, international evidence, particularly from Australia, demonstrates the importance of starting with a narrow scope for mandatory reporters. This is supported by direct advice from overseas experts.

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

Options analysis

- 47. The analysis described above on the options for mandatory training and mandatory reporting is set out in Table 2, below.

Table 2 – Mandatory training and mandatory reporting scope options

	Mandatory online training (approximately 2 hours)	Mandatory training (approximately 6-8 hours) – potentially in person, or moderated for different workforce audiences	s 9(2)(f)(iv)
Core children’s workers	<p>Benefits</p> <ul style="list-style-type: none"> • Increase capability across the workforce, increasing child safety. • Rolled out quickly, at low cost. <p>Risks/implementation considerations</p> <ul style="list-style-type: none"> • Likely increase in ROCs, with capacity implications for OT system. <p>Recommend</p>	<p>Benefits</p> <ul style="list-style-type: none"> • Increase capability across the workforce, increasing child safety. • More in-depth coverage of abuse and how to respond, reducing likelihood of low-level ROCs. <p>Risks/implementation considerations</p> <ul style="list-style-type: none"> • More significant resourcing implications – cost and time. Would require additional funding. <p>Recommend</p>	
Non-core children’s workers	<p>Benefits</p> <ul style="list-style-type: none"> • Increase capability across the workforce, increasing child safety. • Rolled out quickly, at low cost. <p>Risks/implementation considerations</p>	<p>Benefits</p> <ul style="list-style-type: none"> • Increase capability across the workforce, increasing child safety. • More in-depth coverage of abuse and how to respond, reducing likelihood of low-level ROCs. 	

	<ul style="list-style-type: none"> Likely increase in ROCs, with capacity implications for OT system. <p>Recommend</p>	<p>Risks/implementation considerations</p> <ul style="list-style-type: none"> More significant resourcing implications – cost and time. Would require additional funding. <p>Recommend</p>	<p>s 9(2)(f)(iv)</p>
<p>People with children in voluntary and non-regulated services</p>	<p>Benefits</p> <ul style="list-style-type: none"> Increase capability across the workforce, increasing child safety. Rolled out quickly, at low cost. <p>Risk/implementation considerations</p> <ul style="list-style-type: none"> Likely increase in ROCs, with capacity implications for OT system. Would require legislative change to make mandatory. <p>Promote</p>	<p>Benefits</p> <ul style="list-style-type: none"> Increase capability across the workforce, increasing child safety. More in-depth coverage of abuse and how to respond, reducing likelihood of low-level ROCs. <p>Risks/implementation considerations</p> <ul style="list-style-type: none"> More significant resourcing implications – cost and time. Government would need to consider whether to offer funding to incentivise this. Risk of deterring volunteers, which could have an overall negative impact on the services and activities volunteers support. <p>Promote</p>	

Next steps

- 25 Officials are currently preparing the November Cabinet paper s 9(2)(f)(iv) [REDACTED] We are seeking Ministerial feedback on the options presented in this paper by 29 October 2025 to inform these.
- 26 There will be an opportunity to discuss this advice at the Child and Youth Ministers meeting on 11 November 2025.
- 27 Cabinet will consider the detailed policy decisions and actions that can be implemented within baselines as part of the report-back to Cabinet, due to the Social Outcomes Committee (SOU) on 19 November 25 and Cabinet on 24 November 2025.

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