



**MINISTRY OF SOCIAL
DEVELOPMENT**
TE MANATŪ WHAKAHIATO ORA

13 December 2022

Tēnā koe

On 30 May 2022, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information:

- *Under the Official Information Act 1982 I request all information held by the Ministry in relation to policy analysis and advice in regard to policy issues relating to and leading up to the introduction of the Oversight of the Oranga Tamariki System and Children and Young People's Commission Bill that has not already been publicly released.*
- *As part of your response could you identify for me (and provide links to) all material relevant to the request that has been publicly released.*

On 14 June 2022, you agreed to limit the timeframe of your request to 1 January 2018 onwards.

On 29 June 2022, the Ministry emailed you to advise that more time was required to respond to your request as your request is for a large quantity of information, and it would take longer than the 20 working day time limit to collate the material requested and assess whether any interest might be prejudiced by its release.

Please find attached the following documents as **batch seven** in response to your request:

- REP/20/8/943 – Report – *Strengthening Oversight of the Oranga Tamariki System Programme – Monthly Progress Report – July 2020*, and attached Appendix, dated 26 August 2020
- REP/20/9/987 – Report – *Strengthening Oversight of the Oranga Tamariki System Programme – Monthly Progress Update – August 2020*, dated 16 September 2020

- REP/20/10/1029 – Report – *Strengthening Oversight of the Oranga Tamariki System Programme – Monthly Progress Update – September 2020*, dated 29 October 2020
- REP/20/11/1042 – Report – *Briefing on the establishment and operation of the Independent Children’s Monitor*, dated 6 November 2020
- REP/20/11/1078 – Report – *Strengthening Oversight of the Oranga Tamariki System Programme – Monthly Progress Report – October 2020*, dated 19 November 2020
- REP/20/12/1172 – Report – *Independent Children’s Monitor Report: Agency Compliance with Regulations 69 and 85 of the Oranga Tamariki (National Care Standards and Related Matters) Regulations – November 2020*, dated 17 December 2020

You will note that some information is refused under section 9(2)(a) of the Act in order to protect the privacy of natural persons. The need to protect the privacy of these individuals outweighs any public interest in this information.

The following document was also identified to be within the scope of your request:

- REP/20/11/1098 – Aide-mémoire – *Meeting with Children’s Commissioner*, dated 19 November 2020

Only a small section of this document addresses the Oversight of the Oranga Tamariki System and Children and Young People’s Commission Bill. As the majority of the document is outside of the scope of your request, I have summarised the information that is within scope of your request. I believe that the following is an adequate summary (section 16(1)(e) of the Act refers).

It was noted that Judge Andrew Becroft, the Children’s Commissioner (the Commissioner), at the time wished to discuss the following topics with Hon Carmel Sepuloni, Minister for Social Development and Employment (the Minister):

- The Commissioner identified that bringing the Independent Children’s Monitor into the new Children’s Commission as a major issue.
- The Commissioner raised the following matters:
 - He still desired to be able to investigate individual children’s issues,
 - An expectation that the independent monitor should be empowered within the new Bill to make recommendations,
 - Discomfort with the proposal that the Minister or Prime Minister should be able to ‘require’ the monitor to undertake a review.

- It was noted that the Ministry was working through these issues with the Judge and his Office and intended to brief the Minister on these issues in December 2020.
- It was noted that the government had not yet made final decisions on these matters, and that the Commissioner and his Office would be advised of progress.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter and any attached documents available to the wider public. The Ministry will do this by publishing this letter and attachments on the Ministry's website. Your personal details will be deleted, and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with this response, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui



pp

Christian Opetaia
Policy Manager
Child and Youth Policy



Report

Date: 26 August 2020

Security Level: IN CONFIDENCE

To: Hon Carmel Sepuloni, Minister for Social Development

Strengthening Oversight of the Oranga Tamariki System Programme – Monthly Progress Update – July 2020

Purpose of the report

- 1 This report provides you with a progress update for the Strengthening Oversight of the Oranga Tamariki System Programme for the period ending 31 July 2020.
- 2 A summary of the key points of interest are included in this cover report with the full detail provided in the attached A3.

Recommended actions

- 3 It is recommended that you:
 - 3.1 **note** the contents of this Strengthening Oversight of the Oranga Tamariki System Programme Monthly Progress Update for July 2020
YES / NO
 - 3.2 **note** that we met with the Minister for Children on 19 August for the regular monthly relationship meeting and discussed the ICM current work programme and the proposed pilot of the Monitor's assessment approach.
YES / NO

Arran Jones
Executive Director, Independent Children's Monitor

26/08/2020

Date

Hon Carmel Sepuloni
Minister for Social Development

Date

Summary and key points of interest

Programme summary

- 4 Programme status remains **AMBER** reflecting the residual timeframe risks across all workstreams but is trending **GREEN** overall. A variation to the key milestones within the Policy/Legislation workstream was endorsed at the July meeting of the Programme Sponsoring Group, which should see the Policy/Legislation workstream status shift to **GREEN** in August.
- 5 At the end of July, interviews for the Monitor's first recruitment cohort were completed. The first of the Monitor's new permanent team members started on 13 July.
- 6 On 11 August, the Monitor's second report on Agency Compliance with Regulations 69 and 85 of the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018 (NCS Regulations) was published on the Monitor's website, along with agency responses.
- 7 On 19 August we met with the Minister for Children on 19 August for the regular monthly relationship meeting and discussed the ICM current work programme and the proposed pilot of the Monitor's assessment approach. The Minister expressed support for the Monitor's work, the approach that is being taken and was comfortable with the proposed locations of the pilot.

Policy workstream

- 8 On 29 July, the Cabinet Social Wellbeing Committee agreed to proceed with the development of two separate Acts within the new Bill, we are working with the Parliamentary Counsel Office to discuss how the Oversight Bill and Children's Commissioner Act will progress from here.
- 9 The Bill will now be introduced after the General Election and we have signalled to your office that this is likely to be February/March 2021.

Engagement and Communications

- 10 Engagement with key agencies continues to progress well, with regular DCE level meetings with key partners occurring during the month.
- 11 We have also engaged with the Social Wellbeing Agency and will work with them on our Data Strategy to ensure the Data Protection and Use Policy is reflected throughout our work.
- 12 On 1 July we held an event to celebrate the one-year anniversary of the Independent Children's Monitor. Forty-two people attended, including the MSD Chief Executive, the Children's Commissioner and his team, and representatives from the Office of the Ombudsman, Oranga Tamariki, the Open Home Foundation and MSD Policy.
- 13 Regional executive engagement with a range of stakeholders and partners, including iwi and Māori focussed organisations and care providers commenced this month in Northland on 20-22 July and Auckland on 28-29 July. Stakeholder and partners continue to be supportive of the Monitor's work.
- 14 Work continued on developing a regional engagement programme for the Assessment Team's next phase of engagement to cover all regions. A number of dates and locations were confirmed, and the first engagements took place in Nelson on 22 July and Northland on 29-30 July.

Māori Engagement

- 15 The Principal Advisor, Executive Director and Chief Monitor completed engagement trips to Northland, Auckland and Waikato in July. Meetings were held with Waitomo Papakainga, Te Hiku Iwi Development Trust, Oranga Tamariki DCE and Lead Advisors, Te Iwi o Ngāti Kahu Trust, Te Whare Ruruhau o Meri Trust and Te Whakakitenga o Waikato. The engagements provided an opportunity for whanaungatanga to provide an update on the Monitor's work, but also to understand the work that is being done

to support tamariki and rangatahi. It is a priority for us to build and maintain these relationships ahead of monitoring the full National Care Standards next year.

- 16 A meeting with Te Arawhiti and the Monitor's Data and Insights and Operations team is being arranged to share the measurement frameworks currently under development.
- 17 The Kāhui Group meeting was held on 30 July and updates on engagement, the Operating Model and the Policy/Leg workstream were provided.

Independent Children's Monitor monitoring and establishment workstreams

Monitoring Operations

- 18 The draft Phase Three Third Cycle Reporting Requirements was sent to the four monitored agencies for their feedback and review. Feedback was received and incorporated, and a final version was issued to them in early August. Information and data are due from the agencies in September. This information will inform the Monitor's third and final report into compliance with Regulations 69 and 85 of the NCS Regulations.
- 19 Qualitative fieldwork to selective sites will also commence in September, with the third report to the Minister for Children by the end of November 2020.

Developing the Monitor's assessment approach

- 20 The Executive Director and Chief Monitor met with senior staff from Oranga Tamariki to discuss the Monitor's Operating Model and Outcomes Framework. The Chief Monitor also met with Geoff Short, DCE Policy and Partnerships at Te Puni Kōkiri to update him on the Monitor's work and to look at how Te Puni Kōkiri can feed into the development of measures for the Outcomes Framework.
- 21 We are also working with Oranga Tamariki, Open Home Foundation, Barnardos and the Dingwall Trust on plans to pilot our assessment approach in October. In carrying out the pilots we are partnering with VOYCE/Whakarongomai and Caring Families Aotearoa to help us connect with tamariki/rangatahi and caregivers.

Appendices

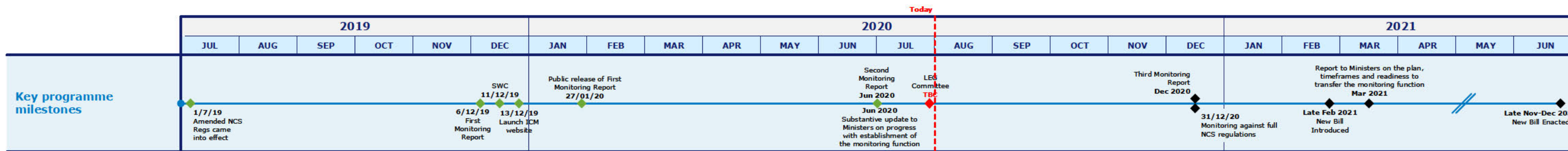
- Attached as Appendix One is the Monthly Progress Update A3 for July 2020.

File ref: REP/20/8/943

Author: (Arran Jones, Executive Director, Independent Children's Monitor)

Responsible manager: (Stephen Crombie, Deputy Chief Executive, People and Capability)

Strengthening Oversight of the Oranga Tamariki System Programme | Monthly Progress Report for the Minister for Social Development | July 2020



Programme summary:

	Previous	Current	Next	
Overall status	A	A	A	<ul style="list-style-type: none">Programme status remains AMBER reflecting the residual timeframe risks across all workstreams, but trending GREEN overall. A variation to the key milestones within the Policy/Legislation workstream was endorsed at the July meeting of the Programme Sponsoring Group.The draft Phase Three Third Cycle Reporting Requirements was developed and sent to the four agencies being monitored for their feedback.
Programme Management:				
<ul style="list-style-type: none">Two of the Monitor's new permanent team members started on 13 July. Interviews for the Monitor's first recruitment cohort were completed at the end of July and reporting lines for the team are under development.				

Engagement, Communications and Change

Engagement:	<ul style="list-style-type: none">On 1 July we held an event to celebrate the one-year anniversary of the Independent Children's Monitor. 42 people attended, including the MSD Chief Executive, the Children's Commissioner and his team, and representatives from the Office of the Ombudsman, Oranga Tamariki, the Open Home Foundation and MSD Policy.Regional executive engagement with a range of stakeholders and partners, including iwi and Māori focussed organisations and care providers commenced this month in Northland on 20-22 July and Auckland on 28-29 July.Work continued on developing a regional engagement programme for the Assessment Team's next phase of engagement to cover all regions. A number of dates and locations were confirmed, and the first engagements took place in Nelson on 22 July and Northland on 29-30 July.The Assessment team had a number of meetings with various agencies throughout the month to discuss the upcoming pilot to test the Monitor's assessment approach.
Māori Engagement:	<ul style="list-style-type: none">The Principal Advisor, Executive Director and Chief Monitor completed engagement trips to Northland, Auckland and Waikato this month. Meetings were held with Waitomo Papakainga, Te Hiku Iwi Development Trust, Oranga Tamariki DCE and Lead Advisors, Te Iwi o Ngāti Kahu Trust, Te Whare Ruruahau o Meri Trust and Te Whakakitenga o Waikato.A meeting with Te Arawhiti and the Monitor's Data and Insights and Operations team is being arranged to share the measurement frameworks currently under development.The Kāhui Group meeting was held on 30 July. Updates on engagement, the Operating Model and the Policy/Leg workstream were provided.
Communications:	<ul style="list-style-type: none">On 2 July, the Executive Director and Chief Monitor undertook media training. Additional key messages were developed from this session and a standalone Media Policy, including social media was drafted to guide staff, based on the protocols in the Communications Strategy.Work continued on collateral for the Monitor's Assessment Team. Information sheets for tamariki and rangatahi, as well as for whānau and caregivers are in development. These will be tested during the pilot scheduled later in the year.A communications plan for publication of the June report was developed and included a reactive media release and FAQs, as well as content for the Monitor's website, stakeholder update, partners and stakeholders.

Workstream summary:

Policy/Legislation	Phase 1 Independent Children's Monitor Monitoring/Operations	Phase 2/3 Independent Children's Monitor Assessment Framework and Operating Model
A	G	G
<ul style="list-style-type: none">Workstream status remains AMBER due to residual timeframe risks. A variation to key milestones within the Policy/Legislation workstream was endorsed by the Programme Sponsoring Group.Following agreement from the Cabinet Social Wellbeing Committee on 29 July to proceed with the development of two separate Acts within the new Bill, Policy and MSD Legal met with the Parliamentary Counsel Office to discuss how the Oversight Bill and Children's Commissioner Act will progress from here.The Bill will now be introduced after the General Election, and we have signalled to your Office that this is likely to be February/March 2021.Work continued on a briefing to you on the long-term home of the Monitor including an assessment of the suitability of different options against the key criteria. We are drawing on previous advice considered in November 2018, as well as potential options resulting from consultation with the Office of the Children's Commissioner, the Education Review Office and the State Services Commission. We aim to have the report completed by mid to late August.A workshop was held with the Monitor and Operational Planning, Performance and Governance to look at the timelines and budget implications across a range of possible scenarios for when the Monitor transfers out of MSD.	<ul style="list-style-type: none">The draft Phase Three Third Cycle Reporting Requirements was sent to the four monitored agencies for their feedback and review. In the week beginning 27 July, feedback was received and incorporated, and a final version will be issued to them in early August. Information and data are due from the agencies in September. Qualitative fieldwork to selective sites will also commence in September, with the third report to the Minister for Children on agency compliance with Regs 69 and 85 of the Oranga Tamariki (National Care Standards and Related Matters) Regulations by the end of November 2020.The Monitor's second report on agency compliance with Regulations 69 and 85 was prepared for publication on the Monitor's website to be published on 11 August.The Executive Director, Chief Monitor and staff met with the Manager of Complaints and Feedback from Oranga Tamariki to understand more about Oranga Tamariki's complaints system, how complaints data is captured and reported; and what data might be available to the Monitor to inform its reporting.	<ul style="list-style-type: none">The Executive Director and Chief Monitor met with senior staff from Oranga Tamariki to discuss the Monitor's Operating Model and Outcomes Framework. The Chief Monitor also met with Geoff Short, DCE Policy and Partnerships at Te Puni Kōkiri to update him on the Monitor's work and to look at how TPK can feed into the development of measures for the Outcomes Framework.A draft paper is in development outlining the proposed approach to the pilot due to take place later this year. This paper will form the basis of a presentation pack being developed for a meeting with the Minister for Children on 19 August and a meeting with the four agencies being monitored in early August.The Executive Director and Lead Programme Advisor met with Oranga Tamariki on the Monitor's Privacy, Human Rights and Ethics (PHRaE) assessment. Discussion included the broader context for the PHRaE; the intent to work together on the development of Information Management Rules for the Monitor; options for the allocation of a unique identifier by Oranga Tamariki to minimise the risk of identifying individuals; and next steps to further understand Oranga Tamariki's view that staff must sign a consent form before they engage with the Monitor. The PHRaE will be updated and a copy provided to Oranga Tamariki.The Assessment team met with an MSD researcher for kaupapa Māori frameworks to discuss how best to approach operationalising and measuring an outcomes framework.

What's coming up:

Meetings with you:

- Meetings as required to discuss LEG paper at date (TBC).
- Meeting to discuss the substantive update on progress with establishment of the Independent Children's Monitoring Function (TBC).

Reports to you:

- Draft LEG papers (TBC).



Report

Date: 16 September 2020

Security Level: IN CONFIDENCE

To: Hon Carmel Sepuloni, Minister for Social Development

Strengthening Oversight of the Oranga Tamariki System Programme – Monthly Progress Update – August 2020

Purpose of the report

- 1 This report provides you with a progress update for the Strengthening Oversight of the Oranga Tamariki System Programme for the period ending 31 August 2020.
- 2 A summary of the key points of interest are included in this cover report with the full detail provided in the attached A3.

Recommended actions

- 3 It is recommended that you:
 - 3.1 **note** the contents of this Strengthening Oversight of the Oranga Tamariki System Programme Monthly Progress Update for August 2020.

YES / NO


Arran Jones
Executive Director, Independent Children's Monitor

16 September 2020
Date

Hon Carmel Sepuloni
Minister for Social Development

Date

Summary and key points of interest

Programme summary

- 4 Programme status is trending **GREEN** overall. The change from **AMBER** was signalled in the *July Programme Update* and is largely due to a variation to the key milestones within the Policy/Legislation workstream. The variation was endorsed at the July meeting of the Programme Sponsoring Group and follows the Cabinet Social Wellbeing Committee decision to proceed with the development of two separate Acts within the new Bill (the Oversight Bill and Children's Commissioner Act). We have signalled to your office that introduction of the Bill is likely to be February/March 2021.
- 5 On 11 August, the Monitor's second report on Agency Compliance with Regulations 69 and 85 of the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018 (NCS Regulations) was published on the Monitor's website, along with agency responses.
- 6 Prior to public release of the second report, we briefed the Office of the Children's Commissioner and the Chief Ombudsman on the report findings.
- 7 The Monitor is establishing a Data Governance Group, to provide oversight for how we manage data and information. The Group has representation from Oranga Tamariki, Stats NZ, the Social Wellbeing Agency and MSD. One of their first actions will be to endorse the Monitor's Data Strategy, which will reflect government best practice including the Principles of the Data Protection and Use Policy.

Policy workstream

- 8 The Parliamentary Counsel Office provided us with the draft revised legislation for discussion with key stakeholders, particularly the Office of the Children's Commissioner.
- 9 Work continues on the long-term home of the Monitor, and this was discussed with Oranga Tamariki and the State Services Commission.

Engagement and Communications

- 10 Engagement with key agencies continues to progress well, with regular DCE level meetings with key partners occurring during the month.
- 11 The August Stakeholder Newsletter was sent to 1,184 recipients, announcing the publication of the Monitor's second report, as well as providing an update on recruitment and the Operations Team engagement.
- 12 A planning session was held with the Office of the Children's Commissioner (OCC) to align work programmes where possible and the OCC shared their announced visits for the rest of the year. Quarterly engagements were set for the remainder of this year and 2021.
- 13 Executive and Operations Team engagements are underway and scheduled until the end of September. Our recently recruited managers of the monitoring teams (Auckland, Wellington and Christchurch) will begin engaging with stakeholders in their local areas.
- 14 On 31 August the opening/blessing of 50 The Terrace took place following a refit of the office space. We are also welcoming new team members throughout September. The majority are filling operational and monitoring roles, building our capacity and capability to monitor all of the NCS Regulations from December 2020.

Māori Engagement

- 15 As part of a series of executive engagements with iwi/Māori, the Executive Director, Chief Monitor and Principal Advisor held virtual meetings with Chrissie Hape, CEO, Ngāti Kahungunu and Ngāi Tahu. Discussion was around the Monitor's work programme and how we will engage as part of our monitoring practice next year.

- 16 Face to face executive engagements with Te Runanga o Ngāti Porou in Gisborne went ahead in early September as planned, along with Ngā Maia Māori Midwives and Oranga Tamariki's Chief Social Worker in Hawkes Bay.

Independent Children's Monitor monitoring and establishment workstreams

Monitoring Operations

- 17 The Phase One Third Cycle Reporting Requirements were finalised and sent to the four agencies being monitored. This begins the process for the third and final reporting cycle on Regulations 69 and 85 of the National Care Standards Regulations, due to the Minister for Children by the end of November 2020.
- 18 Unlike the first two reports, the third report will include qualitative information taken from interviews with Oranga Tamariki and Open Home Foundation staff. Interviews will occur in the second and third weeks of September, in the Auckland Contact Centre, Hamilton North site and Waikato Regional Office, Masterton site, and in Whanganui for the Open Home Foundation.

Developing the Monitor's assessment approach

- 19 A working group with VOYCE-Whakarongo Mai, including a care experienced young person, and the Operations Team was held to further refine and develop the workshops for engaging with tamariki and rangatahi during the pilot.
- 20 A workshop was held in Wellington with Barnardos' staff to discuss how the Monitor will engage with the agency and its associated tamariki, whānau and caregivers.

Appendices

- Attached as Appendix One is the Monthly Progress Update A3 for August 2020.

File ref: REP/20/9/987

Author: (Arran Jones, Executive Director, Independent Children's Monitor)

Responsible manager: (Stephen Crombie, Deputy Chief Executive, People and Capability)



Programme summary:

	Previous	Current	Next	
Overall status	A	G	G	<ul style="list-style-type: none">Programme status is now trending GREEN overall.On 11 August, the Monitor’s second report on Agency Compliance with Regulations 69 and 85 of the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018 (NCS Regulations) was published on the Monitor’s website, along with agency responses.Prior to public release of the second report, we briefed the Office of the Children’s Commissioner and the Chief Ombudsman on the report findings.
Programme Management:				
<ul style="list-style-type: none">Start dates for all of the Monitor’s new team members are now set, with most starting mid to late September and the last date being 12 October.On 31 August the Monitor’s new Corporate, Strategy and Insights team was established.				

Engagement, Communications and Change

Engagement:	<ul style="list-style-type: none">A planning session was held with the Office of the Children’s Commissioner to align work programmes where possible and quarterly engagements were set for the remainder of this year and 2021.Regional executive and Operations Team engagements are underway and scheduled until the end of September. We are reviewing the executive engagements to identify organisations to meet with before Christmas.Planning continues on the engagement plans for the Monitoring Managers which includes engagement processes and reporting.The Executive Director and Chief Monitor met with the Ministry of Health to discuss future engagement with the Ministry and District Health Boards for future monitoring purposes.
Māori Engagement:	<ul style="list-style-type: none">The Executive Director, Chief Monitor and Principal Advisor held virtual meetings with Ngāti Kahungunu and Ngāi Tahu. Discussion was around the Monitor’s work programme and how we will engage as part of our monitoring practice next year.Meetings are planned for early September in Gisborne with Te Runanga o Ngāti Porou and in Hawkes Bay with Ngā Maia Māori Midwives and Oranga Tamariki’s Chief Social Worker.
Communications:	<ul style="list-style-type: none">On 11 August the Monitor’s second report on Regulations 69 and 85 of the National Care Standards Regulations, along with responses from the agencies being monitored were published on the ICM website. Between 11 August and 31 August the report webpage had 193 unique page views.The August Stakeholder Newsletter was sent to 1,184 recipients, announcing the publication of the Monitor’s second report, as well as providing an update on recruitment and the Operations Team engagement.Communications content about the report was sent to the Office of the Ombudsman, Office of the Children’s Commissioner, the Social Workers Registration Board and Community Networks Aotearoa for use in their channels.

Workstream summary:

Policy/Legislation	Phase 1 Independent Children’s Monitor Monitoring/Operations	Phase 2/3 Independent Children’s Monitor Assessment Framework and Operating Model
G	G	G
<ul style="list-style-type: none">Workstream status has moved to GREEN following endorsement of a variation to the key milestones within the Policy/Legislation workstream.Following agreement from the Cabinet Social Wellbeing Committee to proceed with the development of two separate Acts within the new Bill, the Parliamentary Counsel Office provided us with the draft revised legislation for discussion with key stakeholders, particularly the Office of the Children’s Commissioner.A proactive information release relating to the Shape of the Legislation Cabinet item is being completed.Work continues on developing the long-term home of the Monitor, and this was discussed with Oranga Tamariki and the State Services Commission. The next step is to engage wider on this advice.	<ul style="list-style-type: none">In early August, the Executive Director and Chief Monitor led an inter-agency meeting with representatives from all four of the agencies currently being monitored. This was an opportunity to provide an update on the Monitor’s work over the recent months, the upcoming work programme and pilot planned for later this year.The Phase One Third Cycle Reporting Requirements were finalised and sent to the four agencies being monitored. This begins the process for the third and final reporting cycle on Regulations 69 and 85 of the National Care Standards Regulations, due to the Minister for Children by the end of November 2020.Dates have been set with Oranga Tamariki and Open Home Foundation for Reg 69 monitoring which will occur in the Auckland Contact Centre, Hamilton North site and Waikato Regional Office, Masterton site, and in Whanganui for the Open Home Foundation.	<ul style="list-style-type: none">A working group with VOYCE-Whakarongo Mai, including a care experienced young person, and the Operations Team was held to further refine and develop the workshops for engaging with tamariki and rangatahi during the pilot.A workshop was held in Wellington with Barnardos’ staff to discuss how the Monitor will engage with the agency and its associated tamariki, whānau and caregivers.The Ethics Code has been updated for working with tamariki and rangatahi and is with an ethics specialist for final feedback.The Operations Team continued its series of engagements and meetings were held with:<ul style="list-style-type: none">VOYCE-Whakarongo Mai and two shared care providers – Homes of Hope and Ngati Ranginui Iwi Society in Tauranga.Auckland care providers where there was good discussion on how the Monitor can engage with these agencies as part of their monitoring visits.community organisations based in Taupo, Rotorua and Hamilton.Talking Trouble and Family Start to discuss how to engage with agencies, whānau and tamariki when completing monitoring assessments.

What’s coming up:

Meetings with you:
<ul style="list-style-type: none">Meetings as required to discuss LEG paper at date (TBC).Meeting to discuss the substantive update on progress with establishment of the Independent Children’s Monitoring Function (TBC).
Reports to you:
<ul style="list-style-type: none">Draft LEG papers (TBC).



Report

Date: 29 October 2020

Security Level: IN CONFIDENCE

To: Hon Carmel Sepuloni, Minister for Social Development

Strengthening Oversight of the Oranga Tamariki System Programme – Monthly Progress Update – September 2020

Purpose of the report

- 1 This report provides you with a progress update for the Strengthening Oversight of the Oranga Tamariki System Programme for the period ending 30 September 2020.
- 2 A summary of the key points of interest are included in this cover report with the full detail provided in the attached A3.

Recommended actions

- 3 It is recommended that you:
 - 3.1 **note** the contents of this Strengthening Oversight of the Oranga Tamariki System Programme Monthly Progress Update for September 2020.

YES / NO


Arran Jones
Executive Director, Independent Children's Monitor

29 Oct 2020
Date

Hon Carmel Sepuloni
Minister for Social Development

Date

Summary and key points of interest

Programme summary

- 4 Programme status continues to track **GREEN** overall.
- 5 Drafting of the third monitoring report is progressing well, with the Monitor having made visits to Oranga Tamariki sites and Open Home Foundation, to speak with staff and validate data that they have provided. This has also allowed us to test our assessment approach ahead of the November pilots.
- 6 The Monitor inducted twenty-two new staff, as we gear up to monitor against the full Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018 from December 2020. We are working with Oranga Tamariki to help them establish measures and identify the data needed to develop insights on compliance with the Standards. On 12 October, the Monitor formally welcomed new team members at a mihi whakatau. This special occasion provided an opportunity to connect with new team members, their whānau and friends. The mihi whakatau was attended by MSD's Chief Executive and the Children's Commissioner.
- 7 The first meetings of the newly established Data Governance Group were held in September. The Data Governance Group has representation from the Social Wellbeing Agency, Stats NZ, Oranga Tamariki and MSD. The Group endorsed the Monitor's interim Data Strategy and it was noted that the group will be expanded to provide te ao Māori expertise.

Policy workstream

- 8 On 7 September, the proactive information release relating to the 'Shape of the Legislation' Cabinet item was published.
- 9 Until the end of October, the Policy team will consult with key stakeholders on the draft Bill, and several meetings and workshops have been scheduled. We will continue to provide the Parliamentary Counsel Office with instructions.

Engagement and Communications

- 10 Engagement with key agencies continues to progress well, with regular DCE level meetings with key partners occurring during the month.
- 11 Planned engagements with Oranga Tamariki contracted shared care providers and other interested agencies and individuals continued and are now largely complete. These engagements are helping shape the nature and scope of the monitoring programme to commence next year.

Māori Engagement

- 12 Executive engagements were undertaken in Gisborne and Hawkes Bay with Te Runanga O Turanganui A Kiwi, Te Runanga o Ngāti Porou and Ngā Maia Māori Midwives, and in Christchurch with the Chief Executive Officer and staff from Te Runganga o Ngai Tāhu.

Independent Children's Monitor monitoring and establishment workstreams

Monitoring Operations

- 13 The Monitor carried out successful monitoring visits at the Auckland based Oranga Tamariki Contact Centre, Oranga Tamariki Hamilton North and Masterton sites, Waikato Caregiver Recruitment and Support Team and Open Home Foundation's Whānganui Service Centre. The visits will help inform the Monitor's third report on agency compliance with Regulation 69 of the National Care Standards Regulations, due by the end of November 2020.

Developing the Monitor's assessment approach

- 14 The Measures Working Group held its first workshop session to test the planned approach for developing measures to support the Monitor's Outcomes Framework, and to identify data that will help the Monitor to develop insights into how well the Oranga Tamariki system is working to meet the needs of tamariki and rangatahi.

Appendices

- Attached as Appendix One is the Monthly Progress Update A3 for September 2020.

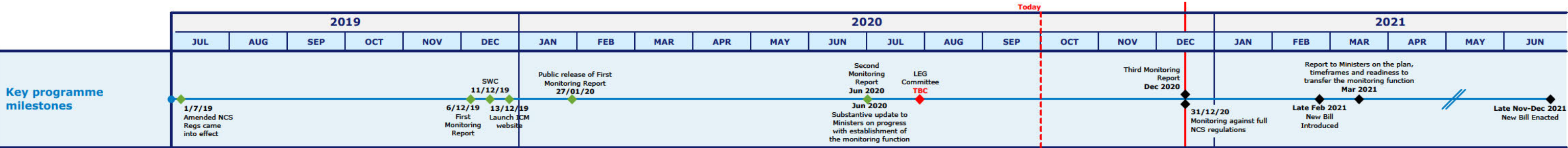
File ref: REP/20/10/1029

Author: (Arran Jones, Executive Director, Independent Children's Monitor)

Responsible manager: (Stephen Crombie, Deputy Chief Executive, People and Capability)

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Strengthening Oversight of the Oranga Tamariki System Programme | Monthly Progress Report for the Minister for Social Development | September 2020



Programme summary:

	Previous	Current	Next	
Overall status	G	G	G	<ul style="list-style-type: none">Programme status continues to track GREEN overall.Drafting of the third monitoring report is progressing well, with the Monitor having made visits to Oranga Tamariki sites and Open Home Foundation to validate data provided. This has also allowed us to test our assessment approach ahead of the November pilots.
Programme Management:				
<ul style="list-style-type: none">We have inducted twenty-two new staff into the Monitor, as we gear up to monitor the Full Care Standards in 2020 and are working with Oranga Tamariki to establish measures and the data needed to develop insights on compliance with the Standards.				

Engagement, Communications and Change

Engagement:	<ul style="list-style-type: none">The majority of priority executive engagements were completed this month, including connection with four iwi who hold strategic partnerships with Oranga Tamariki.Planned engagements with Oranga Tamariki contracted shared care providers and other interested agencies and individuals continued and are now largely complete. These engagements are helping shape the nature and scope of the monitoring programme to commence next year.The Monitor continued planning for the formal mihi whakatau which will be held on 12 October to welcome new members.
Māori Engagement:	<ul style="list-style-type: none">Executive engagements were undertaken in Gisborne and Hawkes Bay with Te Runanga o Turanganui A Kiwi, Te Runanga o Ngāti Porou and Ngā Maia Māori Midwives, and in Christchurch with the CEO and staff from Te Runanga o Ngai Tahu.
Communications:	<ul style="list-style-type: none">A meeting was held with Oranga Tamariki Comms to discuss content for their intranet which explains the Monitor’s purpose. This content is due to be published in early October.Work continued with Mohawk on the animation to explain the Monitor’s purpose. The animation will be used by the monitoring teams to engage with tamariki and whānau.

Workstream summary:

Policy/Legislation	Phase 1 Independent Children’s Monitor Monitoring/Operations	Phase 2/3 Independent Children’s Monitor Assessment Framework and Operating Model
G	G	G
<ul style="list-style-type: none">On 7 September, the proactive information release relating to the Shape of the Legislation Cabinet item was published.Until the end of October, the Policy team will be consulting with key stakeholders on the draft Bill, and several meetings and workshops have been scheduled.We will continue to provide the Parliamentary Counsel Office with instructions.	<ul style="list-style-type: none">The Monitor carried out its first monitoring visits, with fieldwork undertaken at the Auckland based Oranga Tamariki Contact Centre, followed by visits to the Oranga Tamariki Hamilton North site and the Waikato Caregiver Recruitment and Support team. The visits will help inform the Monitor’s third report on agency compliance with Regulation 69 of the National Care Standards Regulations, due by the end of November 2020.Further monitoring took place with the Open Home Foundation’s Whānganui Service Centre on 22 September, and the Oranga Tamariki Masterton site on 25 September. These visits completed the planned fieldwork, and high level insight and findings from the monitoring visits were fed back to the Oranga Tamariki managers on the day.Oranga Tamariki’s response to the Reporting Requirements’ information request was received on time and responses from the other three agencies are expected soon.	<ul style="list-style-type: none">The Measures Working Group held its first workshop to test the planned approach for developing measures to support the Monitor’s Outcomes Framework. There was good representation from across the relevant Oranga Tamariki business units and strong engagement in the mahi. A process has been agreed to progress the measures development through a series of workshops over the next few weeks.Work is now focused on developing the work programme for the November pilot across three locations, to test the Monitor’s approach and tools.A workshop was held with Monitor staff to:<ul style="list-style-type: none">determine what some of the qualitative measures could be for the regulations, with the aim of testing these measures during the pilot engagements; andtest the structure of the workshop in preparation for further workshops that will take place with external stakeholders.

What’s coming up:

Meetings with you:
<ul style="list-style-type: none">Meetings as required to discuss LEG paper at date (TBC).Meeting to discuss the substantive update on progress with establishment of the Independent Children’s Monitoring Function (TBC).
Reports to you:
<ul style="list-style-type: none">Draft LEG papers (TBC).

Hon Carmel Sepuloni
Minister for Social Development and Employment

Dear Minister

Companion briefings on strengthening oversight and monitoring of the children's system

Attached are two update briefings that we recommend are read together. We recommend you refer a copy of this letter, and both briefings to the Minister for Children, and discuss the contents with him.

The first report, titled "*Update briefing – Legislation to strengthen the oversight of the Oranga Tamariki System*", provides an update on the development of legislation to strengthen the oversight of the Oranga Tamariki system. This work is led by the Ministry of Social Development (MSD).

This report outlines key aspects of the work, which spans the Ombudsman, the Children's Commissioner and MSD, and sets out next steps for the work. MSD is working to ensure the Bill can be introduced into the House as soon as practicable to ensure that the enhanced regime to support improvement in outcomes for vulnerable children and their families is in place as soon as possible.

The second report, titled "*Briefing on the establishment and operation of the Independent Children's Monitor*" provides an overview of the development of the Independent Children's Monitor since its establishment in July 2019, its current operations and priorities. The creation of the Monitor was one of the fundamental changes to improve the oversight of the Oranga Tamariki system, to provide independent monitoring and assurance of the operations and obligations delivered within the Oranga Tamariki system. This work is led by the Executive Director of the Independent Children's Monitor, formally delegated the functions, powers and duties of the Independent Monitor by the Chief Executive of MSD.

The Monitor reports to the Minister for Social Development and Employment on establishment of the Monitor, and reports to the Minister for Children on agencies' compliance with the National Care Standards.

Cabinet has agreed in-principle that the monitor will transition to the Office of the Children's Commissioner once monitoring arrangements are in place. Further advice will be provided to you shortly to support your agreement to conduct consultation to determine the long-term home of the monitor.

We recommend you discuss these arrangements with the Minister for Children. Officials from MSD and the Independent Children's Monitor are available to support you in your discussion with the Minister for Children as required and are happy to provide any further materials that may be needed.

Yours sincerely



Molly Elliott

General Manager, Social Development Child and Youth Policy



Arran Jones

Executive Director, Independent Children's Monitor

Report

Independent Children's Monitor

The monitor
for the
Oranga Tamariki
system

Date: 6 November 2020

Security Level: IN CONFIDENCE

To: Hon Carmel Sepuloni, Minister for Social Development and Employment

Briefing on the establishment and operation of the Independent Children's Monitor


Purpose of the report

- 1 This report provides you with an overview on the establishment of the Independent Children's Monitor for the Oranga Tamariki system, its current operations and work programme. It is to be read in conjunction with REP/20/11/1046 *Update briefing – Legislation to strengthen the oversight of the Oranga Tamariki System*, which provides an update on the development of the legislation, outlines key aspects and sets out next steps for this work.

Recommended actions

It is recommended that you:

- 1 **note** the contents of this briefing
- 2 **refer** this briefing to the Minister for Children, as the Minister responsible for Oranga Tamariki
- 3 **discuss** the contents of this briefing with the Minister for Children.


Arran Jones
Executive Director, Tumu Whakarae
Independent Children's Monitor

6 November 2020
Date


Hon Carmel Sepuloni
Minister for Social Development and Employment

8/11/20
Date

Establishment of the Independent Children's Monitor

- 4 The Oranga Tamariki Act and the National Care Standards Regulations (the Regulations) established the Independent Children's Monitor (the Monitor) to monitor and report to the Minister for Children on compliance with the Regulations. The Regulations also require Oranga Tamariki and organisations that have legal custody of children and young people¹ (the agencies) to self-monitor and to report to the Minister for Children and the Monitor on their compliance with the Regulations.
- 5 Oversight of the Regulations includes assessing not only the quality of services delivered by the agencies to tamariki and rangatahi in care but also other services that they receive, such as health and education services.
- 6 From 1 July 2019, the Minister for Children, under section 447A of the Oranga Tamariki Act 1989, appointed the Ministry of Social Development (MSD) as the independent monitor. This is a temporary appointment for the purposes of establishing the Monitor and developing the legislative framework. Background on the legislative framework is contained in REP/20/11/1046 *Update briefing – Legislation to strengthen the oversight of the Oranga Tamariki System*.
- 7 Since 1 July 2019, the Monitor has consulted widely, developed its operating model and commenced its monitoring and assurance programme in accordance with Cabinet's decision [CAB-19-MIN-0113 refers] and the Regulations. The programme is divided into three phases:
 - Phase 1 – from 1 July 2019, assessing agencies' compliance with regulations 69 and 85, which outline agencies' duties in relation to allegations of a risk of harm caused by abuse or neglect. Regulation 85 requires agencies to monitor their own compliance with these regulations. Two reports on these three regulations were provided to the Minister for Children in December 2019 and June 2020. The third and final report in Phase 1 is due to the Minister for Children at the end of November and is an annual report, covering the period from 1 July 2019 to 30 June 2020.
 - Phase 2 – from the end of 2020, the Monitor will oversee and monitor the requirements of all of the Regulations, with the first report due to the Minister for Children before the end of 2021. This will also include specific reporting on results for Māori tamariki and rangatahi, as well as those with disabilities.
 - Phase 3 – once proposed legislation has passed, the Monitor's mandate will expand beyond the Regulations and monitoring services to children in care and custody to oversight of the Oranga Tamariki Act. This will encompass engagement with Oranga Tamariki from the point of notification to transition from care, including the state's use of powers to remove children, youth justice and family group conferences.

Role of the Independent Children's Monitor

- 8 The Monitor along with Office of the Ombudsman and the Office of the Children's Commissioner forms the strengthened oversight system of the Oranga Tamariki system (Appendix One)². The Monitor's role includes:
 - monitoring compliance with statutory obligations, current and future regulations, standards and guidelines for practice and service
 - monitoring the performance of complaints mechanisms

¹ These are the Open Home Foundation, Dingwall Trust and Barnardos.

² The Ombudsman's current role is to manage complaints and carry out investigations, with the Office of the Children's Commissioner having a monitoring function as well as an advocacy role.

- supporting Oranga Tamariki and the other agencies to work towards continuous service improvements by identifying areas of high performance and areas for improvement
 - sharing insights with relevant agency chief executives that deliver services to children in the Oranga Tamariki system as well as the chief executives of the agencies
 - making deeper enquiries into particular issues or themes emerging from monitoring, complaints or critical incidents
 - reporting to relevant Ministers and the public as described in para [7].
- 9 The agencies are required to monitor their own compliance with the National Care Standards. The Monitor's role is to objectively assess compliance with the delivery of the Oranga Tamariki Act, and it is therefore reliant on agencies having the necessary assurance systems and processes in place, as well as the ability to supply the Monitor with information that is necessary for it to carry out its functions.
- 10 The Monitor's approach is to take the information provided by the agencies and validate it through fieldwork. This will see the Monitor visiting communities, connecting and listening to those that have a role to play in the Oranga Tamariki system, including agencies' staff, whānau, hapū, iwi, caregivers, providers and professionals. Most importantly, the Monitor will meet with tamariki and rangatahi. The Monitor will take what it hears and combine that with the data from the agencies to provide, through annual reports, a rich perspective of what is working well and what needs to improve.
- 11 In carrying out its role, the Monitor places the wellbeing and interests of children at the centre of how it functions and ensures that tamariki and rangatahi are seen within the context of their whānau and family.

The Monitor is developing its way of working

We have established an Operating Model

- 12 The Monitor has established a high-level Operating Model, following a review of international jurisdictions, gathering insights from desktop research and conducting in-depth interviews with other monitoring agencies.
- 13 The Operating Model includes:
- design principles and key functions of the Monitor and the centralised support services required to enable the Monitor to effectively fulfil its duties
 - the Monitor's service lifecycle, from initial engagement (whanaungatanga) through to follow up and maintenance (turukitanga)
 - the proposed organisational structure required to deliver on the functional model
 - the Monitor's tikanga approach.
- 14 The Operating Model is grounded on a design-principle of "built-to-move" and is flexible to accommodate the Monitor's eventual transition from MSD after Cabinet has decided on the long-term (or permanent home) of the Monitor. This approach supports the Monitor to grow in a deliberate and timely way, and to effectively meet its deliverables.
- 15 Budget 2020 provided funding of \$31.5m over three years (from the \$38.4m sought), allowing for 38 roles from July 2021, and the organisational structure has been scaled accordingly. As noted above, once legislation is passed, Phase 3 of the monitoring programme will extend the role of the Monitor over the whole of the Oranga Tamariki Act. This will require further resource if the Monitor is to maintain its focus on compliance with the Regulations, alongside the whole of the Oranga Tamariki Act, and a further budget bid(s) will be submitted in 2022 to implement the full operating model.

We have a priority on developing the Monitor through a te ao Māori lens

- 16 The Monitor is embedding a tikanga approach to how it operates, and our work is being developed with a te ao Māori lens, making sure we are living the principles of the Treaty of Waitangi.
- 17 In July 2019, the Kāhui Group³ was set up to provide support and direction to the policy and legislative programme. Their scope was then expanded to include advising on how feedback from the engagement process can be incorporated into the design of the Monitor's functions and how to apply the principles of the Treaty of Waitangi in a practical way. The Kāhui Group has been actively supporting the development of the Monitor's monitoring approach, including our recruitment of permanent staff.
- 18 An A3, *How we work*, illustrates the Monitor's tikanga and is attached as Appendix Three.

We work with Māori, and engage broadly with agencies and communities

- 19 Using the Te Arawhiti engagement model, the Monitor's Stakeholder Engagement Strategy is based on underlying principles of engaging early, being inclusive and thinking broadly. A phased approach to engagement has been taken to give stakeholders the opportunity to provide input into this work.
- 20 Between July and August 2019, 22 hui were held with Māori across the country to talk about what a strengthened independent oversight system would look like. The views and insights from this engagement have been reflected in the development of the Monitor and the assessment approach, as well as the policy and legislative programme.
- 21 From late January to mid-March 2020, 19 further hui were held around Aotearoa, providing a greater understanding of how the Independent Children's Monitor, Office of the Children's Commissioner and Office of the Ombudsman are strengthening independent oversight of the Oranga Tamariki system and what each agency's role is in this. It was a chance to formally introduce the Monitor, as well as share mahi already completed and understand how people want to be engaged in the future.

Recruitment for the Monitor's first cohort of positions is complete

- 22 A strong focus was placed on further developing the Monitor's culture and ensuring it works to its values, design principles and tikanga in a practical and meaningful way. Following recent recruitment, the operational monitoring teams are in place and will trial the assessment approach this month and carry out Phase 2 of the monitoring programme in 2021.

An assessment approach has been developed

An Outcomes Framework has been established to represent what matters for tamariki, rangatahi and whānau

- 23 The Outcomes Framework represents the Monitor's perspective of what matters for tamariki, rangatahi and whānau in the Oranga Tamariki system, now and into the future. It will be used to measure outcomes in relation to the delivery of the regulations.
- 24 Developed collaboratively with the Office of the Children's Commissioner the agencies and in consultation with the Kāhui Group the Framework has six outcomes, each with a high-level definition, and indicators that track wellbeing for each outcome. It draws upon the Government's six wellbeing outcomes (Hua) from the Child and Youth Wellbeing Strategy and incorporates key dimensions from the Whānau Ora Framework and is informed by

³ Kāhui Group members are Sir Mark Solomon, Druis Barrett, Katie Murray and Eugene Ryder. Donna Matahaere-Atariki joined the Kāhui Group in December 2019 as the Chair.

several Māori and child-youth centred models of work and practice, as well as the Oranga Tamariki operating model. It is attached as Appendix Two.

- 25 The Monitor is now working alongside Oranga Tamariki and the other agencies that have custody of tamariki to develop measures that are linked to the Framework, including strengthening the focus on measures that support the reduction in disparity between Māori and non-Māori.

The Outcomes Framework guides our monitoring approach

- 26 The Framework provides the foundation for the monitoring approach. It uses the outcomes and key system dimensions (people, culture and leadership, tools and resources, services and support work well for me, services and support work well together) against which agencies will be monitored and allows for a tailored approach to each type of stakeholder. Relevant questions under these dimensions will be developed to seek the views and experiences of those experiencing and working in the system. By combining quantitative and qualitative data, the Monitor will be able to provide a richer understanding of how the Oranga Tamariki system is meeting the needs of tamariki, rangatahi and their whānau. This approach also enables the Monitor to identify areas of success as well as barriers.
- 27 The Monitor is working with key sector groups and interested agencies to develop stakeholder specific lenses to enable fieldwork that will appropriately allow for and capture their experiences and perspectives, and those of their clients. The success of the development and implementation of these lenses relies on working with Māori.

The Monitor's first two reports on agency compliance with regulations 69 and 85 have been published

- 28 On 1 July 2019, the Monitor started its Phase 1 monitoring. On 6 December 2019, the Monitor's first monitoring report was delivered to the Minister for Children and published on its website on 27 January 2020. The report covered the first three months of monitoring, from 1 July to 30 September 2019, and provided a baseline understanding of policies, processes and procedures, and assessed basic compliance with regulations 69 and 85, and where appropriate 86. The report found that Oranga Tamariki was partially compliant with the Regulations and included a number of future focus areas for all the agencies.
- 29 On 11 August, the Monitor published its second Phase 1 report, covering 1 July to 31 December 2019. The report found all agencies were compliant with regulations 69, 85 and 86 from a policy and procedure perspective. Open Home Foundation, who reported one allegation of abuse or neglect, was also compliant with regulations 69 and 85. Oranga Tamariki reported 392 allegations of abuse or neglect and was only partially compliant with regulation 69. An area of high performance was making sure a child's plan was reviewed and there was improvement in reviewing caregiver plans and providing support; however, three primary areas for improvement were identified:
- the timeliness of investigations and assessments following an allegation of abuse or neglect
 - letting tamariki, rangatahi and relevant parties know about the outcome of an allegation
 - the need to provide assurance over allegations, where a decision is made either at the Oranga Tamariki National Contact Centre or a local site that no further assessment is required.

The Monitor's work programme

Expanding the scope of our monitoring (Phase 2)

- 30 Monitoring all of the regulations from December 2020 will require additional data to be shared by those agencies with care or custody of tamariki and rangatahi, and the Monitor is working with them to understand how they can provide it efficiently and minimise impact on their operations.
- 31 The Outcomes Framework, monitoring approach and associated processes, artefacts and collateral will be tested in fieldwork pilots this month. These pilots will engage with communities, including tamariki, rangatahi, caregivers, and agency sites. This will provide useful experience and feedback about the practical application of the approach across all the regulations, and how the Monitor validates the quantitative data provided by Oranga Tamariki and the other agencies.
- 32 In order to connect well with tamariki and rangatahi, the Monitor is partnering with VOYCE – Whakarongo Mai as a 'connector' to support the visits. VOYCE – Whakarongo Mai have established relationships with the young people and are able to provide pre- and post-support, to make sure that their wellbeing and interests of are at the centre of the work. The Monitor expects that the model of using connectors will be applied to a range of other groups as the Monitor moves into Phase 2 of the monitoring programme.
- 33 The fieldwork associated with the pilot will take place in the communities of Horowhenua, Taranaki and Hauraki, and will include talking with tamariki and rangatahi, caregivers, and Open Home Foundation and Oranga Tamariki sites. The Monitor will undertake an evaluation at the conclusion of the pilot activities. This will be completed in conjunction with those involved in the pilots.

Our data strategy

- 34 We are committed to ensuring that the Monitor handles data and information with care. This includes:
- working to an ethics code that sets out how the Monitor engages with tamariki and rangatahi, as well as other participants in the Oranga Tamariki system
 - developing detailed Information Rules on how information is to be collected, used, shared and stored
 - ensuring that the Monitor's approach is consistent with the Social Wellbeing Agency's Data and Protection and Use Policy and thoroughly assessed through MSD's Privacy, Human Rights and Ethics framework.
- 35 The Monitor has established a Data Governance Group to provide assurance over its Data Strategy and practice, with the Group made up of representatives from MSD, Oranga Tamariki, Stats NZ and the Social Wellbeing Agency.

Continue to work with Oranga Tamariki and the agencies that have care and custody of tamariki and rangatahi

- 36 The Monitor meets regularly and works with Oranga Tamariki, Barnardos, Dingwall Trust and Open Home Foundation. Current priorities include:
- helping Oranga Tamariki develop measures for the National Care Standards, and consulting with the other agencies on their development
 - identifying the Monitor's data and information needs so that it can validate measures and develop insights
 - piloting the monitoring approach, which includes visits to sites and discussions with staff.
- 37 The Monitor is also committed to working with the agencies on its monitoring schedule for 2021, to make sure that visits take account of other priorities that those agencies may have, and to best manage any burden that monitoring may create. Planning these visits

will also be co-ordinated with any activity that the Ombudsman or Office of the Children's Commissioner may have planned.

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Key Monitor Contacts

Arran Jones	Executive Director	s9(2)(a) @icm.org.nz
Nova Banaghan	Chief Monitor	s9(2)(a) @icm.org.nz

Appendix

Appendix 1: The strengthened oversight system

Appendix 2: How we work

Appendix 3: Outcomes Framework

File ref: REP/20/11/1042

Author: (Arran Jones, Executive Director, Independent Children's Monitor)

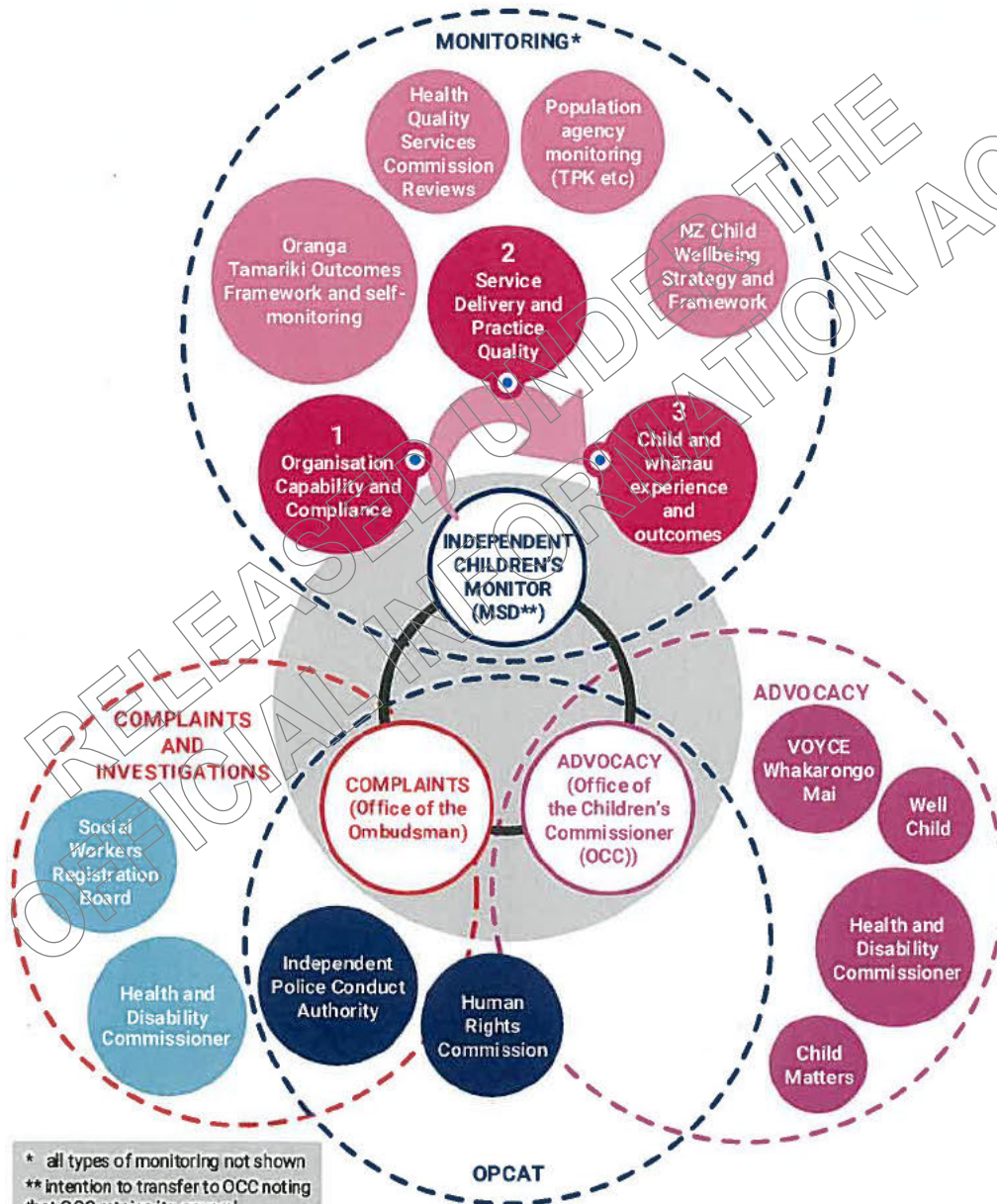
Responsible manager: (Stephen Crombie, Deputy Chief Executive, People and Capability)

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Appendix One

Future Strengthened Oversight of the Oranga Tamariki System (post 1 July 2019 and Legislative Changes)

The monitor
for the
Oranga Tamariki
system



* all types of monitoring not shown
** intention to transfer to OCC noting that OCC retains its general monitoring responsibilities until its legislation is changed

Appendix Two

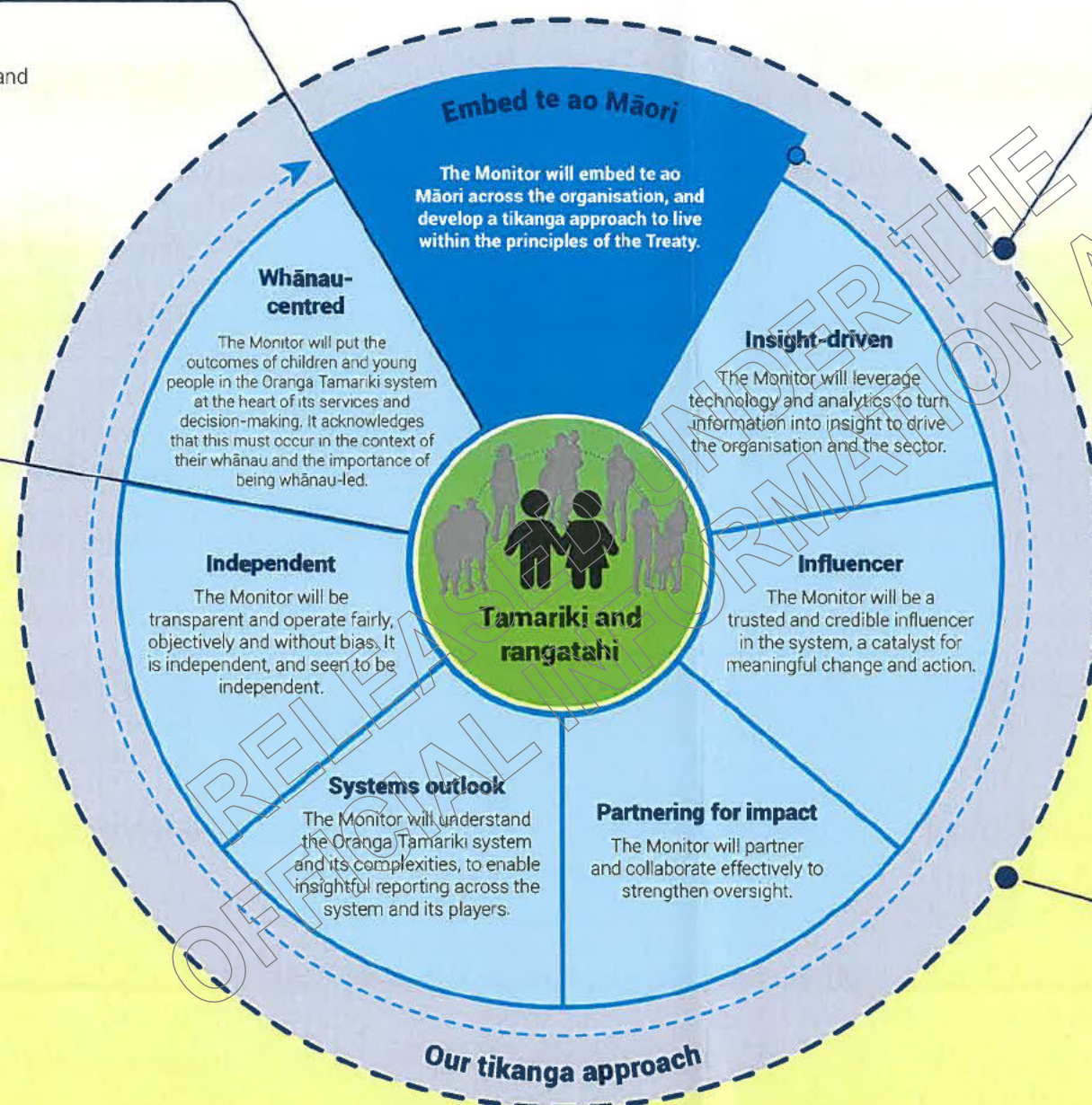
How we work

Embedding tikanga Māori

- Supports staff to build knowledge, experience, capability and understanding of tikanga Māori and te reo to confidently engage with whānau, hapū and iwi.
- Embeds te ao Māori into the status quo of the Monitor.
- Seeks advice and uses empathy and judgement to adapt to the context and circumstances.
- Learns about and respects cultural similarities and differences and appreciates diversity.

Embedding child-centred, whānau-led practice

- Uses experience, knowledge and capabilities to confidently engage with tamariki and their whānau.
- Ensures that in embedding child-centred practice, there is an understanding that a child needs to be seen in the context of their whānau.
- Uses experience and knowledge to embed child-centred practice into the status quo through making children's participation and the voice of tamariki front and centre of the Monitor's design, decision making and day-to-day operations.



Our tikanga approach

Our operating values lay a sound foundation for us to work with tamariki and rangatahi and those who hold their best interests at heart: their whānau, hapū, iwi and communities. Working together and with others enables us to achieve our goal of improving outcomes for tamariki and rangatahi.

Relationships built on respect and trust, reciprocity, a common focus, cohesiveness and proactive engagement along with effective processes for talking, learning and working together, contribute to a successful outcome.

We will approach our work and relationships openly and honestly. To do this we must trust in each other so that we can, with respect, mean and do what we say, so that we save ourselves time and energy.

Reciprocity is an important part of the relationship where we all give and take of our time, energy, thoughts and kōrero to ensure that we end up with a monitoring system that improves outcomes for tamariki, rangatahi and their whānau.

We will build on and complement our outcomes principles and values with our **operational principles** to guide us as we work together to improve outcomes for tamariki and rangatahi:

- **Whakamana i te tāngata (respect)** – show respect by understanding and supporting Māori tikanga and kawa.
- **Whakapapa (kinship)** – making connections through finding out a little about each other and acknowledge any connections you have is important.
- **Whanaungatanga (relationship)** – foster a sense of connection when engaging with each other. Relationships between ourselves and others are important.
- **Kanohi-ki-te-kanohi (face-to-face)** – engage in person especially to resolve any issues and maintain connections.
- **Manaakitanga (caring for others)** – have integrity and caring in how you relate to people.
- **Kotahitanga (unity)** – while people may hold diverse views, it is important to identify a shared sense of purpose.

Our commitment to Māori

Through our work, we are committed to improving the lives of tamariki and rangatahi, enabling them to realise their potential and aspirations with the support of their whānau, hapū, iwi and communities. It is the right thing to do and they deserve no less.

Our values

Our values reflect our principles of being child-centred with a te ao Māori lens across all that we do. Our values describe how we will behave every day, with each other and with those we are working with.

Kia Māia – Courageous

We are brave, bold, capable and confident.

Kia Pono, Kia Tika – Trustworthy

We are honest and genuine.

Manaaki – Respectful

We show respect and care for others.

Kia Huritao – to be Reflective

We are considered and reflective.

Appendix Three

Outcomes Framework for the Independent Children's Monitor

Outcomes Framework

The Outcomes Framework (the Framework) represents the Monitor's perspective of what matters for tamariki, rangatahi and whānau in the Oranga Tamariki system, now and into the future. It will initially be used to measure outcomes for tamariki and rangatahi in relation to the delivery of the National Care Standards (NCS) Regulations.

The Framework provides:

- assurance that tamariki and rangatahi in the care and custody of the state are being appropriately cared for against the NCS Regulations
- an indication that positive outcomes for tamariki, rangatahi and whānau wellbeing are being achieved.

The Monitor has taken an outcomes-based approach and holistic te ao Māori lens towards the development of the Framework. It draws upon the Government's six wellbeing outcomes from the Child and Youth Wellbeing Strategy and incorporates key dimensions from the Whānau Ora Outcomes Framework and the Oranga Tamariki Outcomes Framework.

The development of the Framework has also been informed by the Monitor's recent series of regional hui with Māori communities, as well as Māori and child-youth centred models including:

- Unicef's Te Hiringa Tamariki: A wellbeing model for tamariki Māori
- Te Puni Kōkiri's Rangatahi Suicide Prevention Fund
- Tā Mason Durie's Te Whare Tapa Whā model of health
- the Office of the Children's Commissioner's Mana Mokopuna Approach.

The Framework is strengths-based, taking a positive youth development approach. It is focused towards building on the strengths of Māori and incorporates notions of responsibility and reciprocity to help ensure tamariki, rangatahi and whānau are active participants. It is whānau-centred and reflective of the diverse realities of Māori. The Framework is designed to be inclusive and encompasses the diversity of culture and ethnicity of all participants in the Oranga Tamariki system.

The Framework includes six outcomes, each with principles setting out a high-level definition and indicators that track towards wellbeing. A set of measures is in development for each outcome focused initially on measures to monitor the NCS Regulations.

Outcomes	Indicators	Measures
Whanaungatanga Tamariki and rangatahi have strong, healthy and positive relationships and connections with their family, whānau, hapū, iwi and people around them.	<input type="checkbox"/> Tamariki and rangatahi feel they are a valuable part of a family, whānau or group. <input type="checkbox"/> Tamariki and rangatahi have meaningful relationships and friendships and feel connected to supportive social networks. <input type="checkbox"/> Tamariki and rangatahi are connected to, and strong in, their culture, language, beliefs and identity, including whakapapa and tūrangawaewae. <input type="checkbox"/> Whānau, hapū, iwi, caregivers, parents and families have the skills and knowledge, and access to resources, to provide quality care for tamariki and rangatahi. <input type="checkbox"/> Whānau are actively making plans to transition their tamariki and rangatahi back to a stable home where their basic needs will be provided.	Currently being developed
Rangatiratanga Tamariki and rangatahi, alongside their whānau, are involved, empowered and supported to become self-determining, and leaders in their own lives.	<input type="checkbox"/> Tamariki and rangatahi are willing participants and contribute positively in different environments. <input type="checkbox"/> Tamariki, rangatahi and whānau are engaged and feel their voices, opinions and perspectives help to shape their plans, aspirations and pathways to success. <input type="checkbox"/> Tamariki and rangatahi are engaged in and able to share their culture and cultural activities with others. <input type="checkbox"/> Tamariki and rangatahi show strength and courage, and are positively building on their potential. <input type="checkbox"/> Tamariki and rangatahi are open for others to support and help them to empower themselves.	
Aroha Tamariki and rangatahi feel loved, supported, safe and cared for and are capable of receiving kindness through love and giving love to others.	<input type="checkbox"/> Tamariki and rangatahi are socially, emotionally, spiritually and physically safe from harm. <input type="checkbox"/> Tamariki and rangatahi are able to share their views of what it means to be or feel loved. <input type="checkbox"/> Family and whānau are well connected, supportive and involved in their child's wellbeing and transitioning out of care. <input type="checkbox"/> Tamariki and rangatahi have everything they need to demonstrate reciprocity. <input type="checkbox"/> Whānau are able to provide a stable and harm-free home environment.	
Manaakitanga Tamariki and rangatahi have positive reciprocal relationships where they feel (as well as show) genuine care, generosity and respect for themselves and others.	<input type="checkbox"/> Tamariki, rangatahi and whānau are empowered and confident to ask for support when needed. <input type="checkbox"/> Tamariki and rangatahi have access to people or services that are inclusive and supportive of diversity. <input type="checkbox"/> Parents, caregivers and whānau have what they need to meet the needs of tamariki or rangatahi. <input type="checkbox"/> People working with tamariki and rangatahi understand and address their needs. <input type="checkbox"/> Tamariki and rangatahi experience and engage in safe, bully- and discrimination-free environments and surroundings. <input type="checkbox"/> Tamariki and rangatahi have warm, stable, healthy and secure relationships between themselves and others.	
Kaitiakitanga Tamariki and rangatahi feel protected, and are kept safe by having all aspects of their wellbeing acknowledged, nurtured and supported.	<input type="checkbox"/> Tamariki, rangatahi and whānau have their health needs supported and maintained so they are able to be healthy in mind, body and spirit. <input type="checkbox"/> Tamariki, rangatahi and whānau have access to the best possible health care to support their on-going hauora. <input type="checkbox"/> Tamariki, rangatahi and whānau have access to people and services to help build self-esteem, resilience and sustain emotional wellbeing. <input type="checkbox"/> Whānau are able to provide tamariki and rangatahi with regular access to nutritious food, and a warm and dry home.	
Mātauranga Tamariki and rangatahi are learning and developing their skills and knowledge about themselves, their culture, their potential, their future, and their role/place in this world.	<input type="checkbox"/> Tamariki and rangatahi are engaged in learning and meaningful daily activities. <input type="checkbox"/> Tamariki, rangatahi and whānau are positively engaged in activities that support their holistic health and social-wellbeing. <input type="checkbox"/> Tamariki and rangatahi have the social and emotional skills to communicate, navigate and transition into different stages of their lives. <input type="checkbox"/> Tamariki and rangatahi are learning life-skills that show self-control and build self-confidence. <input type="checkbox"/> Tamariki and rangatahi achieve a level of literacy and numeracy skills to their greatest potential. <input type="checkbox"/> Tamariki, rangatahi and whānau have equitable access to learning and development opportunities. <input type="checkbox"/> Tamariki and rangatahi Māori are able to navigate two cultures so that they can become more successful in both worlds. <input type="checkbox"/> Tamariki and rangatahi are open and able to navigate different cultures. <input type="checkbox"/> Tamariki and rangatahi have high expectations of themselves and others.	



Report

Date: 19 November 2020

Security Level: IN CONFIDENCE

To: Hon Carmel Sepuloni, Minister for Social Development and Employment

Strengthening Oversight of the Oranga Tamariki System Programme – Monthly Progress Update – October 2020

Purpose of the report

- 1 This report provides you with a progress update for the Strengthening Oversight of the Oranga Tamariki System Programme for the period ending 31 October 2020.
- 2 A summary of the key points of interest are included in this cover report with the full detail provided in the attached A3.

Recommended actions

- 3 It is recommended that you:
 - 3.1 **note** the contents of this Strengthening Oversight of the Oranga Tamariki System Programme Monthly Progress Update for October 2020.

YES / NO


Arran Jones
Executive Director, Independent Children's Monitor

19 November 2020
Date


Hon Carmel Sepuloni
Minister for Social Development and Employment

22/11/20
Date

Summary and key points of interest

Programme summary

- 4 Programme status remains on track overall.
- 5 Drafting of the third monitoring report progressed well during October. This is the Monitor's third and final report on abuse or neglect in relation to children in care or custody, and the response to Regulations 69 and 85 of the National Care Standard Regulations. The report includes insights from the validation fieldwork conducted during September, as well as information and data received in relation to the reporting requirements request.
- 6 On 6 November, the four monitored agencies (Oranga Tamariki, Barnardos, Open Home Foundation and Dingwall Trust) received a first draft of the report content relevant to each of them for review and fact checking. The finalised report will be presented to the Minister for Children on 27 November and then the agencies will have the opportunity to prepare a formal response to the report before the final is published on the Monitor's website. The planned date for publishing the report is 27 January 2021.
- 7 The last of the new recruits from the Monitor's first recruitment round started in October, and on 12 October we formally welcomed all new team members at our mihi whakatau. This special occasion provided an opportunity to connect with new team members, their whānau and friends. The mihi whakatau was attended by MSD's Chief Executive and the Children's Commissioner.
- 8 Work is underway with Oranga Tamariki to finalise the Monitor's interim Information Rules. These rules will govern how the Monitor collects, stores and uses information and in some areas, places a greater obligation on the Monitor than that required by the Privacy Act.

Policy workstream

- 9 Two workshops were held with Oranga Tamariki on the draft Bill to extend the Monitor's functions.

Engagement and Communications

- 10 Engagement with key agencies continues to progress well, with regular DCE level meetings with key partners occurring during the month.
- 11 Between July and October 2020, the Monitor has completed over 100 engagements across Aotearoa. These engagements relate specifically to regional hui participant follow up from earlier in the year, Oranga Tamariki providers and executive engagements.

Māori Engagement

- 12 Executive engagements were undertaken in Auckland with the National Māori Council and the Māori Women's Welfare League. The Operations team also completed an engagement visit to Takahanga marae in Kaikōura and met with staff from Te Tai o Marokura, the health and social services arm of Te Rūnanga o Kaikōura.

Independent Children's Monitor monitoring and establishment workstreams

Monitoring Operations

- 13 A visit was made to the Open Home Foundation to explore their data management and reporting systems. The discussion focused on the current assurance processes against the National Care Standards, how the Monitor can work with them to support continuous improvement in their self-monitoring and to how they might respond to data requests as we move to monitoring all of the National Care Standards.

Developing the Monitor's assessment approach

- 14 A Measures Workshop was held with Oranga Tamariki and Monitor staff to look at Parts 3, 4 and 5 of the National Care Standards. These workshops have identified a large set of potential measures and these will now be reviewed and prioritised.
- 15 The workshop was successful, not only in what was produced but also in how the two agencies worked together. Oranga Tamariki are now leading the approach and intend to use the finalised measures to inform their own assurance processes over the Care Standards. We will continue to work alongside Oranga Tamariki to complete this mahi, before consulting more widely with the other care agencies, Te Puni Kokiri, the Social Wellbeing Agency, iwi and community groups that have shown interest in this work.

Appendices

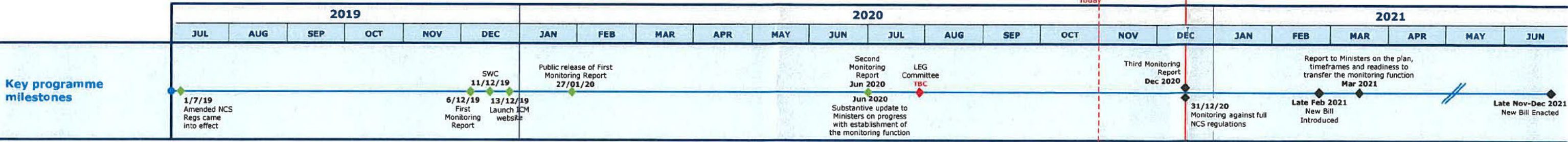
- Attached as Appendix One is the Monthly Progress Update A3 for October 2020.

File ref: REP/20/11/1078

Author: (Arran Jones, Executive Director, Independent Children's Monitor)

Responsible manager: (Stephen Crombie, Deputy Chief Executive, People and Capability)

Strengthening Oversight of the Oranga Tamariki System Programme | Monthly Progress Report for the Minister for Social Development | October 2020



Programme summary:

	Previous	Current	Next	
Overall status	G	G	G	<ul style="list-style-type: none">Programme status remains on track overall.Drafting of the third monitoring report progressed well during October. This report includes insights from the validation fieldwork conducted during September, as well as information and data received in relation to the reporting requirements request.
Programme Management:				
<ul style="list-style-type: none">The last of the new recruits from the Monitor's first recruitment round started in October, and on 12 October we formally welcomed all new team members at our mihi whakatau. This special occasion provided an opportunity to connect with new team members, their whānau and friends. The mihi whakatau was attended by MSD's Chief Executive and the Children's Commissioner.				

Engagement, Communications and Change

Engagement:	<ul style="list-style-type: none">Engagement with key agencies continues to progress well, with regular DCE level meetings with key partners occurring during the month.Since July 2020, the Monitor has completed over 100 engagements across Aotearoa. These engagements relate specifically to regional hui participant follow up from earlier in the year, Oranga Tamariki Care Providers and executive engagements. Of the engagements completed, 90% were face to face, with the other 10% completed via Zoom due to COVID-19. Executive engagements include hui with iwi who have strategic partnerships in place with Oranga Tamariki, various government agencies and social sector providers including those with a particular focus on Māori.The Executive Director and Chief Monitor met with Policy staff from the Ministry of Education to discuss how the Monitor should engage with schools, kura and regional education teams as part of the monitoring programme next year.
Māori Engagement:	<ul style="list-style-type: none">Executive engagements were undertaken in Auckland with the National Māori Council and the Māori Women's Welfare League.The Operations team completed an engagement visit to Takahanga marae in Kaikōura and met with staff from Te Tai o Marokura, the health and social services arm of Te Rūnanga o Kaikōura.
Communications:	<ul style="list-style-type: none">Content for MSD's Kotahitanga Newsletter was developed and is due to be published in mid-November. A piece explaining the Monitor's purpose was developed for publication on Oranga Tamariki's intranet.The Monitor's web content was updated to better reflect updated key messages and the evolution of our culture and approach.Work continued on the animation to explain the Monitor's purpose to help engage with tamariki and whānau.

Workstream summary:

Policy/Legislation	Phase 1 Independent Children's Monitor Monitoring/Operations	Phase 2/3 Independent Children's Monitor Assessment Framework and Operating Model
G	G	G
<ul style="list-style-type: none">The Policy team continued consulting with key stakeholders on the draft Bill, and several meetings and two workshops with Oranga Tamariki to discuss the draft Bill were undertaken.We continue to provide the Parliamentary Counsel Office with instructions.	<ul style="list-style-type: none">The requested responses and data for the Phase One Third Cycle Reporting Requirements were received from Oranga Tamariki, Open Home Foundation and Barnardos. The data and information was analysed and incorporated into the third monitoring report to the Minister for Children.Oranga Tamariki was asked further questions, based on the information they had provided for the report. Answers to these questions provided greater insight into the assurance processes that Oranga Tamariki have in place to make sure that allegations of harm are being addressed correctly.The Operations team met with Oranga Tamariki's General Manager Quality Systems, who has responsibility for quality assurance/analysis at Oranga Tamariki, for an informative overview of the quality systems function. It is expected that the programme of work being shaped in the quality assurance space will support Oranga Tamariki to build quality practice as well as reporting at a level that provides a good degree of assurance.	<ul style="list-style-type: none">The Operations team progressed with planning for the pilots in Horowhenua, Hauraki and Taranaki, to test the Assessment Framework ahead of monitoring all National Care Standards from January next year, with collateral, tools and prompts being finalised. Critical to our planning is engaging and contacting iwi as part of the engagement process. The team has a number of hui organised with iwi and whānau ora providers prior to roll out of the pilots.The third Measures Workshop was held with Oranga Tamariki and Monitor staff, looking at Parts 3, 4 and 5 of the National Care Standards. These workshops have identified a large set of potential measures and these will now be reviewed and prioritised. The work will also be handed across to Oranga Tamariki's Tactical Data Group, to identify whether the data is available in their systems, as well as its reliability. Where data is not currently available, Oranga Tamariki will consider how it can be obtained/made available in future. Establishing measures, along with other data needs, will support our information request in early 2021 to support our monitoring programme.

What's coming up:

Meetings with you:
<ul style="list-style-type: none">Meetings as required to discuss LEG paper at date (TBC).Meeting to discuss the substantive update on progress with establishment of the Independent Children's Monitoring Function (TBC).
Reports to you:
<ul style="list-style-type: none">Draft LEG papers (TBC).

Independent Children's Monitor

The monitor
for the
Oranga Tamariki
system

Agency Compliance with Regulations 69 and 85 of the Oranga Tamariki (National Care Standards and Related Matters) Regulations



November 2020

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PO Box 1556

Wellington 6140

New Zealand

Email: info@icm.org.nz

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Introduction

Poipoia te kākano kia puāwai Nurture the seed and it will blossom

For many of us, 2020 challenged the way we work, learn and live. With this has come opportunities for new ways of thinking and engaging. For the Monitor, we have continued to develop, build capability and test our monitoring approach with the assistance of many.

I would like to thank Oranga Tamariki, Open Home Foundation, Barnardos and Dingwall Trust for the spirit in which they approached working with us. This mahi is new for us all. While the Monitor is independent, and has a responsibility to hold agencies to account, this does not mean that we are distant. If the Monitor is to be successful at influencing change, it is important that we work together and maintain focus on what is best for tamariki, rangatahi and their whānau.

I also want to acknowledge everyone that we've met this year. We had the privilege of being out in the community, COVID willing, and met with over 100 stakeholders. We've held conversations with iwi, care agencies, non-government organisations, various government agencies, Kaupapa Māori and social service providers. We have been listening carefully, and these conversations are being reflected in the development of the Monitor. Thank you for the gift of your time and wisdom. We look forward to continuing our relationship in 2021.

This is the Monitor's third and final report focused on regulations 69 and 85 of the National Care Standards. As part of this report, the Monitor was able to capture the voice of a number of frontline staff. In the future, the use of data combined with the voices of rangatahi, whānau, carers, and those working alongside whānau and tamariki, will provide a rich understanding of the Oranga Tamariki system. This will provide insight into the quality of care, what works well and identify any barriers in the system.

This approach includes going back each year to monitor change. Maintaining focus over time drives continuous improvement. It also helps us to understand whether changes are improving the experiences and wellbeing of tamariki and rangatahi.

For the Monitor to be successful, we will continue to live our values. We will be courageous – kia maia, respectful – manaaki, trustworthy – kia pono, kia tika and reflective – kia huritao. Living these values supports us to be credible and worthy of the gift, taonga, of the words, feelings and stories that people share with us so we can help bring positive changes for those in care.

We are looking forward to the next phase of the journey.

Arran Jones, Executive Director



Contents

Executive Summary	6
Purpose of the Report	6
The Requirement for the Oranga Tamariki System to Self-monitor	6
High-level Summary Findings	8
Continuous Improvement Observation	9
Update on the Establishment Activities of the Independent Children's Monitor	12
Context	14
Methodology	16
Analysis of Information Provided by Agencies to Assess Compliance with Regulations 69 and 85	18
Compliance in Relation to Regulation 69 – Open Home Foundation, Barnardos and Dingwall Trust	18
Compliance in Relation to Regulation 69 – Oranga Tamariki	19
Initiatives Implemented to Support Tamariki and Rangatahi in Relation to Regulation 69	26
Assurance Processes for Barnardos, Dingwall Trust and Open Home Foundation	28
Assurance Processes for Oranga Tamariki	31
Continuous Improvement Programme – Oranga Tamariki	37
Appendices	41
Appendix One: National Care Standards Regulations	41
Appendix Two: Oranga Tamariki Information Requirements in Relation to Regulations 69 and 85 (and 86, as relevant) of the NCS Regulations	42
Appendix Three: Approved Organisations' Information Requirements in Relation to Regulations 69 and 85 (and 86 where relevant) of the NCS Regulations	47
Appendix Four: Oranga Tamariki Assurance Process Maps	49

Executive Summary

Purpose of the Report

This report provides an update to the Minister for Children and the New Zealand public on the extent to which the four agencies who have custody of children are compliant with regulations 69 and 85 (and, to the extent that it applies, regulation 86) of the National Care Standards (NCS) Regulations 2018 (NCS Regulations). The four agencies are Open Home Foundation, Barnardos, Dingwall Trust and Oranga Tamariki (the agencies).

This report covers the period from 1 July 2019 to 30 June 2020.

Regulation 69 outlines the duties of the Chief Executive when allegations of abuse or neglect are made about children and young people in custody and care. Regulation 85 requires information to be provided to the Independent Children's Monitor (the Monitor) and regulation 86 requires that the agency must monitor its own compliance with the NCS Regulations (see Appendix One).

The Monitor has previously published two reports, which are available on the Monitor's website¹. This report provides an overview of 12 months of data, unless otherwise stated, from 1 July 2019 to 30 June 2020. As well as using data provided by the agencies, the Monitor visited three Oranga Tamariki sites and one Open Home Foundation service centre to talk with staff to gain insight and provide a frontline perspective.

This report completes Phase One of the Monitor's initial monitoring programme, which has focused solely on regulations 69 and 85 (and, to the extent it applies, regulation 86). The Monitor will start monitoring all the NCS Regulations from 31 December 2020.

The Requirement for the Oranga Tamariki System to Self-monitor

The role of the Monitor is to oversee the Oranga Tamariki system². The Oranga Tamariki Act 1989 and NCS Regulations set out requirements that must be met for tamariki and rangatahi in care. They also require the chief executive of an agency with tamariki or rangatahi in its care or custody to monitor its own compliance with the NCS Regulations. Agencies must design self-monitoring systems that collect information to enable the Monitor to fulfil its monitoring

¹ <https://www.icm.org.nz/reports/>

² The term 'Oranga Tamariki system' is used to describe not only the early intervention, statutory care, protection, youth justice and transitions support systems as outlined in the Oranga Tamariki Act 1989, but also other agency services provided to children and young people under the Act (for example health, education and disability services, including by NGOs). It also includes services provided by Children's Agencies to the core populations of interest to Oranga Tamariki as defined under the Children's Act 2014, including children who have early risk factors for future involvement in the statutory care, protection and youth justice systems.

role and make sure that those systems provide for continuous improvement, as well as address areas of practice that require improvement.

The Monitor's role is to objectively assess compliance with the delivery of the NCS Regulations. The Monitor is therefore reliant on agencies having the necessary assurance systems and processes in place, as well as the ability to supply the Monitor with information that is necessary for it to carry out its functions.



High-level Summary Findings

This report provides an overview of the 12-month period from 1 July 2019 to 30 June 2020.

It includes information gathered from visiting a number of frontline workers at three Oranga Tamariki sites and one Open Home Foundation service centre. As described in the two previous reports, the Monitor's Outcomes Framework³ is used to measure outcomes for tamariki and rangatahi in relation to the delivery of the NCS Regulations. Each of the regulations have been mapped to one of the six outcomes, with regulation 69 mapped to *Aroha*. The outcome of *Aroha* is defined as tamariki and rangatahi feel loved, supported, safe and cared for, and are capable of receiving kindness through love and giving love to others. How allegations of abuse of tamariki and rangatahi are handled is relevant to how they can feel loved, supported and safe.

In assessing compliance with regulation 69, the Monitor looks at an organisation's policies and procedures, as well as agency data that outlines how well those policies and procedures are complied with. From a policy and procedure perspective, all four agencies are compliant with regulations 69, 85 and 86.

Barnardos and Dingwall Trust reported that they did not receive any allegations of risk of harm caused by abuse or neglect for the 12-month period. Therefore, testing compliance or making a visit to one of their sites was not required for this report.

Open Home Foundation reported that it received 12 allegations of abuse or neglect about te tamaiti in their custody. The investigations into these allegations were carried out by Oranga Tamariki, with Open Home Foundation providing support to the tamariki, rangatahi, whānau, and caregivers through the process. In nine of the 12 cases, abuse was not found. Two of the investigations were ongoing at the time of receiving this data and, in one case, abuse was substantiated. Open Home Foundation followed its own policy and procedures through the investigations and these actions were compliant with regulation 69. In visiting a community-based Open Home Foundation service centre, the Monitor's staff noted the positive working relationship between its centre and the local Oranga Tamariki site.

Oranga Tamariki reported that it received 1,831 allegations of risk of harm caused by abuse or neglect regarding tamariki and rangatahi in its care or custody. In 612 cases, a decision was made at the National Contact Centre or at the local site that no further assessment was required. Accordingly, 1,219 cases needed further investigation.

Over the last year, Oranga Tamariki has continued to show a higher level of compliance when initially responding to an allegation of abuse or neglect. In 84 percent of cases the initial safety

³ The Monitor's Outcomes Framework is available at: www.icm.org.nz/nga-kete-rauemi/

screen was completed on time, in 81 percent of cases a child's plan was reviewed following the allegation and in 87 percent of cases recording was completed correctly.

Oranga Tamariki provided information to the Monitor about the 1,092 allegations with a finding that had been reviewed by the Safety of Children in Care Unit. Overall, Oranga Tamariki was partially compliant with regulation 69.

Data provided by Oranga Tamariki showed that recorded compliance was low when:

- informing the child of the outcome of an investigation (28 percent compliance)
- informing the parent/guardian of the outcome of an investigation (32 percent compliance)
- completing investigations or assessments on time (41 percent compliance)

Oranga Tamariki reported on data relating to the number of tamariki and rangatahi where all relevant aspects of regulation of 69(2)(a-d) were met. As defined in its *Overview of Care Standards Regulation 69 and 85 Practice Requirements, Monitoring Approach and Measures and Reporting Mechanisms* (practice requirements)⁴, it has 12 practice requirements relating to this regulation. It reported that only one percent of all cases had recorded that all 12 practice requirements met. In 39 percent of cases, fewer than six requirements were met.

Informing tamariki and rangatahi of the outcome of an assessment or investigation is important so they feel that they have been heard and that the concerns were taken seriously. For tamariki and rangatahi to achieve the outcome of *Aroha*, it is especially important for them to feel safe and cared for.

Although performance has remained largely unchanged across the year, Oranga Tamariki has made improvements to its assurance processes and reported a greater focus on compliance with regulation 69. For example, Oranga Tamariki has reported a range of activities to improve timeliness and created a new role to provide oversight across all reports of concern for children in care. In addition, three new assurance processes have been put in place and are referred to later in the report.

It was reported by staff at three Oranga Tamariki sites that positive local leadership has assisted in building capability of staff in relation to the processes associated with regulation 69. Some staff spoken with noted the need for further training and development to improve practice. The Monitor acknowledges that the number of staff it was able to engage with during the visits was small.

Through reporting and from monitoring visits, all agencies noted the positive relationships with local iwi, and the collaborative approach to building and growing these relationships.

⁴ This document is available in *Appendix B* of the Monitor's initial report (December 2019).
<https://www.icm.org.nz/reports/>

In the Monitor's previous reports, it was noted that there was a lack of visibility over the initial decision-making at the National Contact Centre or local site and, in particular, the cases where a *No Further Action* decision was made. Oranga Tamariki reported that changes have been made and that they began sampling decisions this year. They also advised that the National Contact Centre is reviewing processes to build increased visibility of these decisions.

From this sampling, Oranga Tamariki reviewed 69 reports of concern between 1 April 2020 to 30 June 2020 where a *No Further Action* decision was made. They reported that of these decisions, only 14 were classified as relating to incidents alleging possible abuse or neglect for children in care. The balance was identified by Oranga Tamariki as 'reporting errors' (20), 'non-abuse events' (33) or 'relating to incidents that occurred prior to coming into care' (2).

Having looked at the decision-making of the 14 cases, Oranga Tamariki determined that in nine cases the rationale for the *No Further Action* decision appeared inaccurate. This prompted further follow up with sites, to either ensure that records properly reflected the decision-making, or to ensure that an assessment or investigation occurred.

Due to the high number of cases where inaccuracy was apparent, the Monitor will continue to seek data and information on improvements Oranga Tamariki is undertaking to improve decision-making. This will be an area of ongoing focus for the Monitor's future reports.

Continuous Improvement Observations

Each agency was required to provide to the Minister for Children a response to the Monitor's second report, dated June 2020. The agencies responded positively to the report and have demonstrated a commitment to undertaking continuous improvement activities to embed policy and practice that comply with the NCS Regulations. The agencies' individual responses are available in full on the Monitor's website⁵.

Oranga Tamariki acknowledged that further work is required to embed policies and processes regarding regulation 69 into practice. This was reflected in what staff told the Monitor during the monitoring visits. Some of the current improvements underway were detailed in its response and build into its multi-year transformation journey to ensure compliance with all NCS Regulations.

The Monitor acknowledges that the retrospective nature of current monitoring means that the impact of the actions taken in response to the previous report will not be realised within the timeframe of this report. However, if these initiatives have been successful the Monitor would expect to see evidence of improved performance by the time it next reports on compliance in late 2021 for the period 1 July 2020 to 30 June 2021.

⁵ <https://www.icm.org.nz/reports/>



Update on the Establishment Activities of the Independent Children's Monitor

Background on the Role and Function of the Independent Children's Monitor

The Monitor was established on 1 July 2019. It carries out its role by monitoring, assessing and providing assurance of the extent and quality of compliance under the Oranga Tamariki Act 1989 and the associated NCS Regulations.

As noted previously, the Monitor's functions are being phased in over time and this report concludes Phase One, which focused on regulations 69 and 85 of the NCS Regulations. Phase Two, commencing from 31 December 2020, focuses on compliance with all aspects of the NCS Regulations. Phase Three is the intended longer-term expansion of the Monitor. This will broaden the scope of monitoring of compliance to the entire Oranga Tamariki system, at a date that is yet to be determined.

Building the Monitor's Capability

Since September 2020, the Monitor has increased the size of its Operations Team ahead of starting Phase Two monitoring. The Monitor has three new operational teams based in Tāmaki Makaurau, Whanganui-a-Tara and Ōtautahi⁶. These new teams will help the Monitor to grow and develop relationships with local communities.

Development of the Monitoring Approach to Support the Outcomes Framework

To support the Outcomes Framework, the Monitor has developed its Monitoring Approach. This includes the monitoring programme, monitoring requirements, assessment plans, operational policies and processes, as well as tools and resources. Within the Monitoring Approach an Assessment Matrix⁷ has been developed for the Monitor to use when visiting communities to verify the data provided to it by the four agencies with statutory responsibilities.

⁶ Tāmaki Makaurau – Auckland, Whanganui-a-Tara – Wellington, and Ōtautahi – Christchurch.

⁷ The Assessment Matrix can be found at <https://www.icm.org.nz/nga-kete-rauemi/>

The five dimensions of the Assessment Matrix are:

1. People
2. Culture and Leadership
3. Tools and Resources
4. Services and support work well for me
5. Services and support work well together.



Pilot Programme

In preparation for Phase Two of the Monitor's function, the Monitor has been working with agencies and communities to undertake a pilot programme to test aspects of the Monitoring Approach. The Monitor has had the privilege to engage with three communities who are connected to, and work within, the Oranga Tamariki system. The insights gained from this mahi⁸ will allow the Monitor to adapt processes and systems that will assist it to work in a way that is mana enhancing for the communities it visits. It is expected that the evaluation of this pilot will be completed in December 2020 and this will feed into the overall monitoring approach in 2021.

Ethics Code

The Monitor has finalised its Ethics Code⁹ (the Code), which describes how it will ethically and safely engage with tamariki, rangatahi, whānau and caregivers.

The Monitor recognises that tamariki and rangatahi are at the centre of the work it does and seeks to reflect their views, as well as those of their whānau and caregivers. The Code recognises the vulnerability for these participants in sharing their stories, and provides guidance and standards that will be applied during the Monitor's engagements.

The Code was developed by the Monitor following consultation with key agencies including Oranga Tamariki, Ministry of Social Development, Office of the Children's Commissioner and the expert services of Professor Tim Dare of the University of Auckland.

⁸ Mahi – work

⁹ The Ethics Code can be found at <https://www.icm.org.nz/nga-kete-rauemi/>

Context

Statistics New Zealand indicated in the last census that there are approximately 1.1 million New Zealanders under the age of 18, of which 27 percent are Māori¹⁰. In comparing the national population with the population of tamariki Māori and rangatahi Māori in State care there is a significant imbalance. As at 30 June 2020, there were 6,041 tamariki and rangatahi in the care and custody of Oranga Tamariki, including both care and protection, and youth justice¹¹. Of the 6,041 tamariki and rangatahi in care and custody, 59 percent are Māori and a further 10 percent identified themselves as Māori/Pacific.

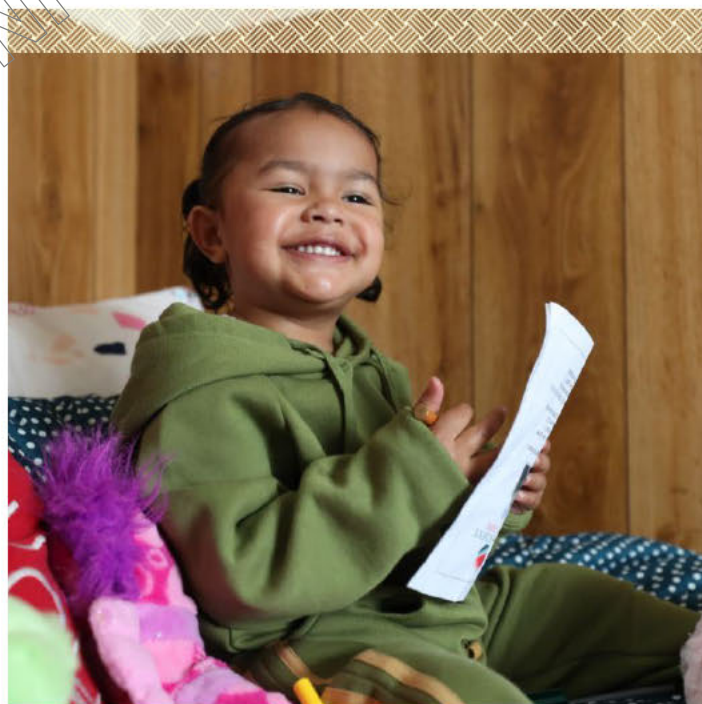
Data provided by the agencies shows the following number of children in their care and custody.

	Open Home Foundation	Dingwall Trust	Barnardos	Oranga Tamariki
Tamariki and rangatahi in care and custody	119	1	3	6,041

Table One – number of children in the care and custody of provider agencies and Oranga Tamariki as at 30 June 2020.

Demographic data, provided from each of the four agencies, outlines the characteristics of the tamariki and rangatahi in the care system.

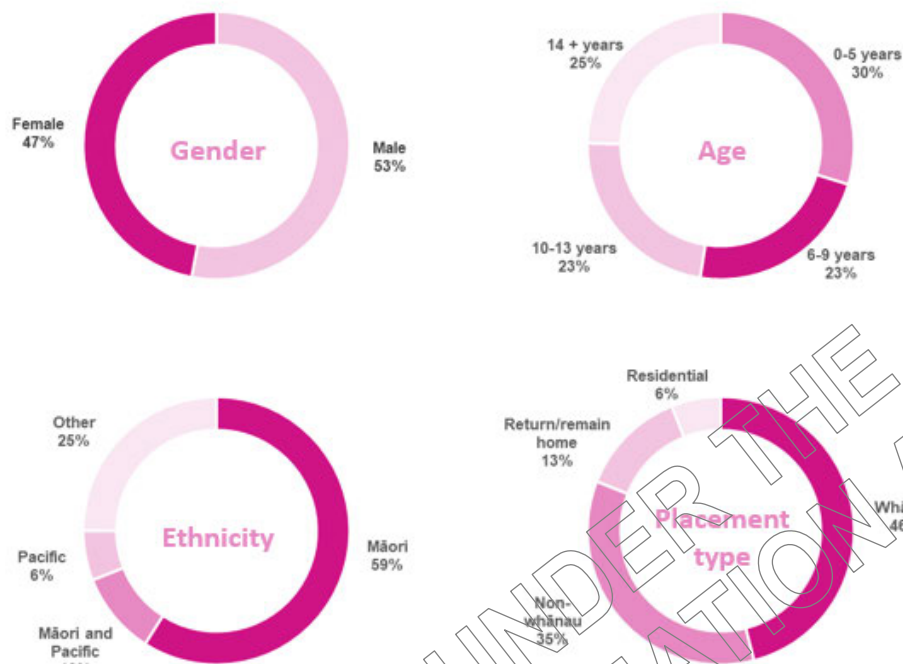
Given the very small number of tamariki and rangatahi in the care and custody of Dingwall Trust and Barnardos, demographic data is only shown for those in the care and custody of Oranga Tamariki and Open Home Foundation.



¹⁰ NZ Stats <https://www.stats.govt.nz/topics/tangata-maori-population>

¹¹ The total number of children in the care and custody of Oranga Tamariki for care and protection reasons is 5,945 and those under youth justice care and custody is 96 as at 30 June 2020.

Oranga Tamariki Demographics



* Please note percentages do not add to 100 percent due to rounding.

Open Home Foundation Demographics



* Please note percentages do not add to 100 percent due to rounding.

Methodology

As noted in the Monitor's previous reports, Memoranda of Understanding were agreed with each agency outlining how the agencies work with the Monitor, and how information is shared and secured.

For the third report, the Monitor received data and information from each of the four agencies. The Monitor also made visits to three Oranga Tamariki sites and one to an Open Home Foundation service centre. The Monitor had planned to make further visits to sites but due to COVID-19 was unable to do so.



The Monitor notes that the data relied on in this report has been provided by each of the agencies and was not gathered from other sources. The Monitor received data and information in response to the third cycle reporting requirements (the final request for Phase One of the programme of the Monitor), for the 12-month period from 1 July 2019 to 30 June 2020. All data represents this time period unless specifically stated.

The Monitor reviewed the information received and prepared a second information request for Oranga Tamariki, to clarify and request additional information. For Open Home Foundation and Barnardos the Monitor sought to clarify information only.

Data sent to the Monitor is aggregated with no identifiable information and is stored securely on a separate database that is not visible or accessible to the Ministry of Social Development. Access to this database is limited to relevant team members of the Monitor.

Each agency was provided with draft versions of this report, with the information that applied to its agency, to review the information prior to its finalisation to:

- fact check the information relating to their agency
- respond to any potential adverse comment made by the Monitor in the report.

Due to the contracting relationships held by Oranga Tamariki, it was agreed that the Monitor would provide it with any potential adverse comment relating to Open Home Foundation, Dingwall Trust and Barnardos. This would be provided to Oranga Tamariki in advance, to enable it to consider a response. In the context of this report, no information of this nature needed to be provided.

Analysis of Information Provided by Agencies to Assess Compliance with Regulations 69 and 85

This section is based primarily on the information, data and analysis provided by each of the four agencies, as requested by the Monitor (refer to Appendices Two and Three). There was a small number of site visits made by the Monitor to understand the experience of frontline staff. The information requested focused on updates and continuous improvement work undertaken since the last report. Individual agency responses have been summarised under each heading and, where relevant, this includes responses to observations made in the Monitor's previous report.

Throughout the remainder of the report, the Monitor has included sub-sections entitled *Experience*. These are the stories and experiences of frontline staff the Monitor had the privilege to meet and kōrero¹² with.

Compliance in Relation to Regulation 69 – Open Home Foundation, Barnardos and Dingwall Trust

Open Home Foundation

Open Home Foundation reported 12 cases of abuse and neglect over the past 12 months. It noted that in all these cases it provided support to the tamariki, rangatahi, whānau and caregivers through the process. Of the 12 cases, nine resulted in no finding, one was substantiated and two were still ongoing at the end of this reporting period.

Open Home Foundation reported to the Monitor that its policies and procedures were followed during its response to allegations of harm for individual tamariki and rangatahi. It also reported that it has strengthened the requirement for care plans to be updated following the outcome of an investigation or assessment. From the information received from Open Home Foundation, the Monitor has found that it is compliant with regulation 69.

Barnardos and Dingwall Trust

Barnardos and Dingwall Trust did not have any allegations of abuse or neglect so are not included in this section.

¹² Kōrero – to tell, say, speak, read, talk, address

Compliance in Relation to Regulation 69 – Oranga Tamariki

Timeliness

As per regulation 69(2)(a), once an allegation of abuse or neglect has been made, Oranga Tamariki has the responsibility of deciding what action must be taken to address the concern. Its internal policy sets timeframes in which these processes must be carried out by.

When an Oranga Tamariki site receives a report of an allegation of abuse or neglect, it carries out a *Safety and Risk Screen*, which is the initial safety response, within the timeframes defined in its operational policies. The purpose is to review the safety of a child at that point in time and determine what steps or actions are required.

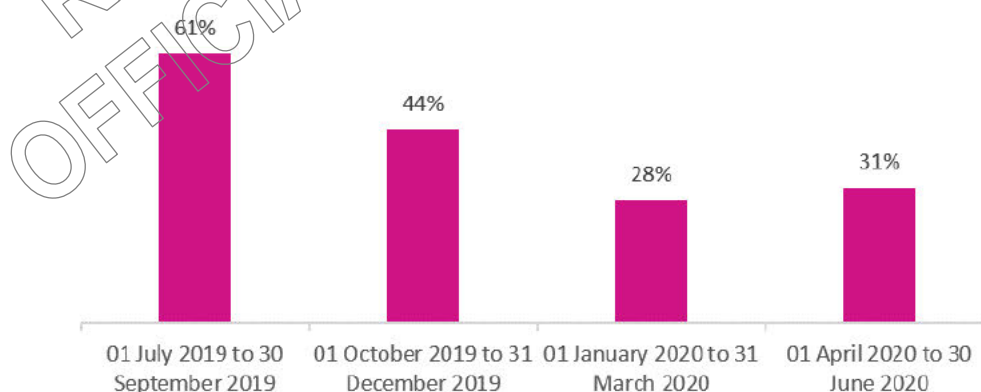
Reported data shows a high level of compliance with the safety screen requirements, with 84 percent completed within the required timeframe over the 12 months. However, data provided by Oranga Tamariki shows the timeliness of investigations and assessments of allegations of abuse or neglect is not consistently being achieved.

The following information was requested from Oranga Tamariki.

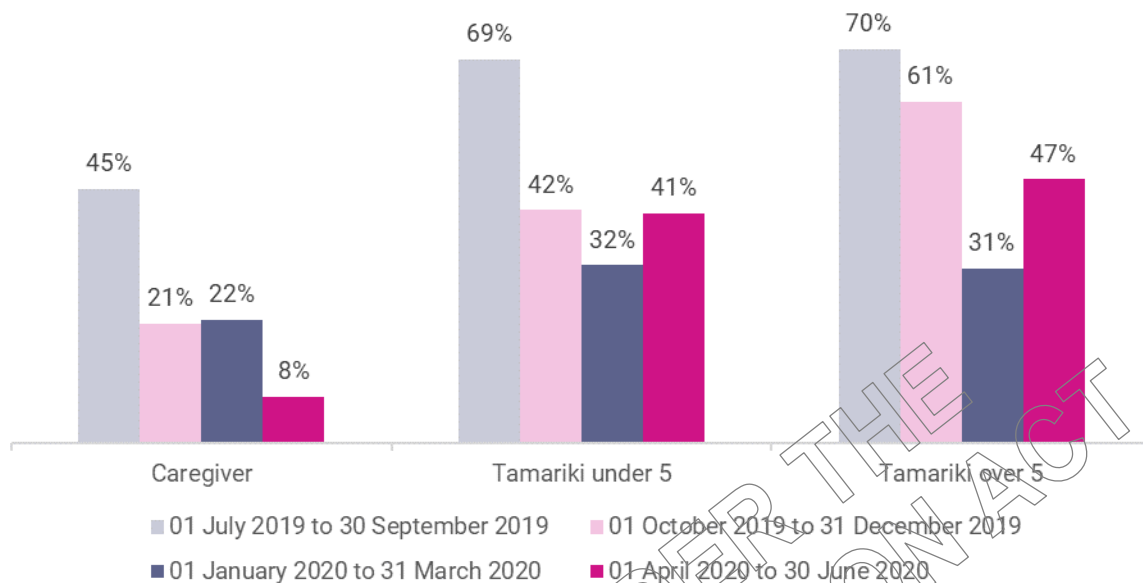
The June 2020 report noted that focus and improvement was needed in timeliness of investigations and assessments, and in letting tamariki and rangatahi know about the outcome of an assessment or investigation.

Please outline what action has been taken to improve:

- the timeliness of investigations and assessments carried out after an allegation has been made, including caregiver reviews
- practice to ensure tamariki and rangatahi are informed of the outcome of their allegation.



Graph One – Percentage of Child and Family Assessments or Investigations completed within the required timeframes.



Graph Two – Percentage of Child and Family Assessments or Investigations completed in time by relevant group.

Oranga Tamariki stated that some of the complicating factors resulting in delays to the timeliness of investigations include:

- administrative delays
- individual tamariki circumstances, nature of the day-to-day management of care arrangements for tamariki or mental health concerns for tamariki
- caregivers not wanting to meet with social workers or caregivers refusing to accept the findings of the draft report
- assessments that involve non-government organisation partners, which involve professionals jointly managing the relationship
- other more isolated examples of system issues, historical allegations or transfer of case between sites.

From the cases analysed, Oranga Tamariki reported that where the delay related to the tamariki circumstances, day-to-day care arrangements or mental health concerns, there were high levels of support offered or in place to manage care arrangements and provide stability.

To improve timeliness, Oranga Tamariki reported it has established continuous improvement activities to grow compliance with regulation 69(2)(a) of the NCS Regulations. Some of these have already been implemented while others are in the developmental stage.

- Monthly practice discussions with the regional senior advisors' groups.
- Engagement with regional teams to promote practice.
- Development and presentation of practice briefing materials for practice leaders.
- Mentoring and coaching support.

Oranga Tamariki informed the Monitor that its assurance activities are ongoing. The existing reporting mechanisms will be used to actively monitor and manage timeliness at a regional level. This is being supported by national policy documents, process charts and practice guidelines.

Oranga Tamariki advised the Monitor that it has established a role dedicated to providing national oversight of all reports of concern for children in care. This involves receiving regional updates and analysis, reviewing the data and providing feedback to regions. This role will be strengthened to include national oversight and feedback to sites around timeliness of investigations and providing feedback to te tamaiti. There has also been a new position established (Principal Advisor Care Standards) and their primary role is supporting the implementation of the National Care Standards.

Experience

In meeting with frontline staff at three sites, the Monitor was told that there are many different reasons why delays may occur. While staff comments do not reflect the views of the entire organisation, they do provide a snapshot of the experiences at those sites. The following are some of the views expressed by staff as to why delays can occur:

- Some staff have high caseloads, which require significant amounts of time and management.
- Social workers prioritise the needs of tamariki over paperwork.
- Police investigations do not always align with process and timeframes set in Oranga Tamariki policy.
- Caregivers accessing legal advice can extend timeframes.
- High turn-over of staff.

While visiting the three sites, the Monitor was told about the positive partnership when working with the New Zealand Police during investigations of abuse and neglect. The staff the Monitor spoke with stated that the collaboration and open relationships that happen at site offices with the Police are positive.

One social worker noted that their case load is "just so big" and when urgent cases come in, they do not have time to sit down with te tamaiti to explain the outcome to them. This task gets pushed down the list of things to do. "I am never on top of my work, a good day is when I am less behind in my work than I usually am."



Reporting outcomes to Tamariki, Rangatahi and Associated Parties

In relation to regulation 69(2)(c), the previous report indicated the Monitor would seek further clarification on how concerns about reporting outcomes are being addressed.

Closing the circle and reporting back to tamariki, rangatahi and their whānau is an important part of the allegation of abuse or neglect processes. Regulation 69 requires that the tamariki and rangatahi at the centre an allegation are informed of the outcome of the investigation.

International research indicates that after a disclosure of abuse, a meaningful response includes "post disclosure, the young person/child should be updated by telling them the outcome and a failure to do so exacerbates feelings of helplessness. Fear of a lack of action is also stated as a main reason why children don't disclose"¹³.

The data provided to the Monitor by Oranga Tamariki over the 12-month period showed 28 percent of tamariki and rangatahi received feedback of the outcome of the investigation.

Experience

From meeting staff at the three sites, the Monitor heard from frontline staff that it is always the intent to inform people of the outcome of the investigation; however, there is inconsistency in the ways to record the outcomes of an investigation.

Some Oranga Tamariki staff commented that a combination of high caseloads and turnover of staff means that social workers from other teams may be allocated tamariki and rangatahi for short periods of time. This results in relationships not being formed and sometimes case notes are not up to date, so social workers find it difficult to engage.

Oranga Tamariki staff highlighted some of the issues that get in the way of telling tamariki and rangatahi about the outcomes, including administrative delays, a child's wellbeing and safety, the potential impact on a child's mental health and shared care arrangements.

One social worker said to the Monitor, "if I had more time to spend with a smaller number of rangatahi, I could provide support to a whānau or caregiver under stress, so we don't end up with a report of concern."

Information is Recorded and Reported in a Consistent Manner

Regulation 69(2)(b) requires agencies to ensure that information is recorded and reported in a consistent manner. Oranga Tamariki provided the Monitor with data that has been gathered and analysed by the Safety of Children in Care Unit. This focused on the number of findings that were reviewed as 'inaccurate' and the number of findings recorded as 'information missing'. 'Inaccurate', in this case, has been defined as either abuse not recognised or a non-

¹³ Palmer, Sally E; Brown, Ralph A; Rae-Grant, Naomi I; Loughlin, M Joanne. *Child Welfare; Arlington* Responding to children's disclosure of familial abuse: What survivors tell us, Vol. 78, Iss. 2, (Mar/Apr 1999): 259-82

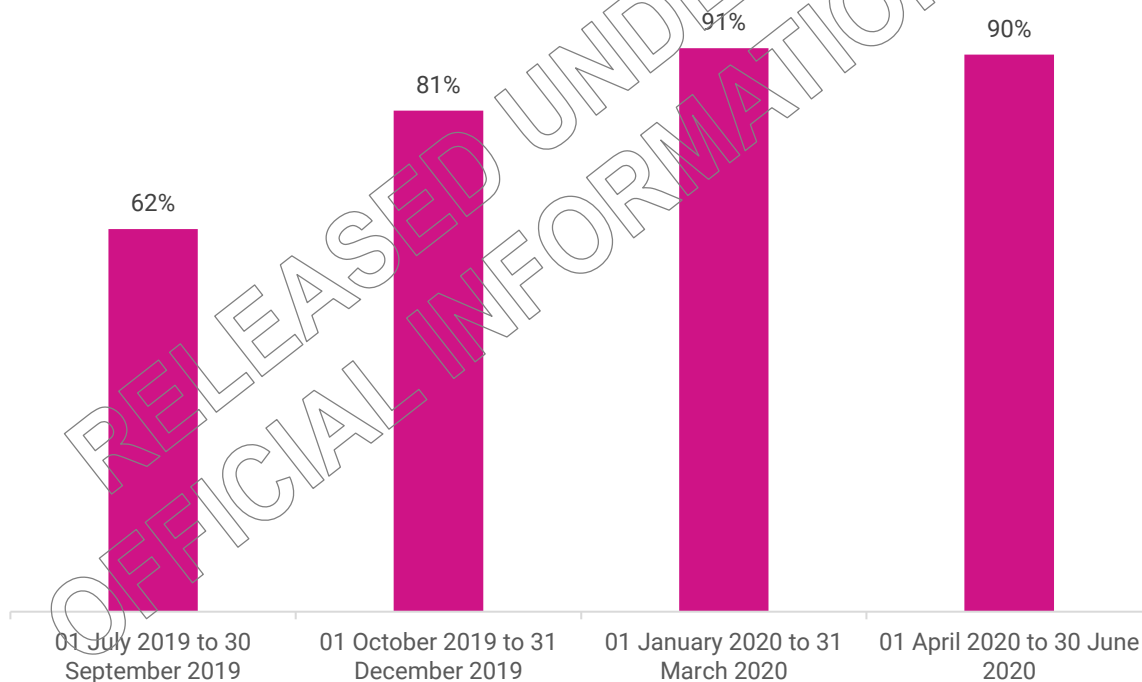
abuse event wrongly assessed as abuse, or wrong abuse type defined. 'Information missing' included missing dates, and alleged abuser information and placement type wrongly captured or absent.

Data shows compliance is 87 percent for findings being entered correctly. However, in 54 percent of cases, records had information missing.

Update of Care Plans Following an Investigation

Oranga Tamariki reported that updating the care plan of tamariki and rangatahi following an investigation is an area of high performance and an area it has continued to improve on during the year.

Data provided shows Oranga Tamariki is 81 percent compliant with updating the care plan for te tamaiti following the outcome of a Child and Family Assessment or Investigation.



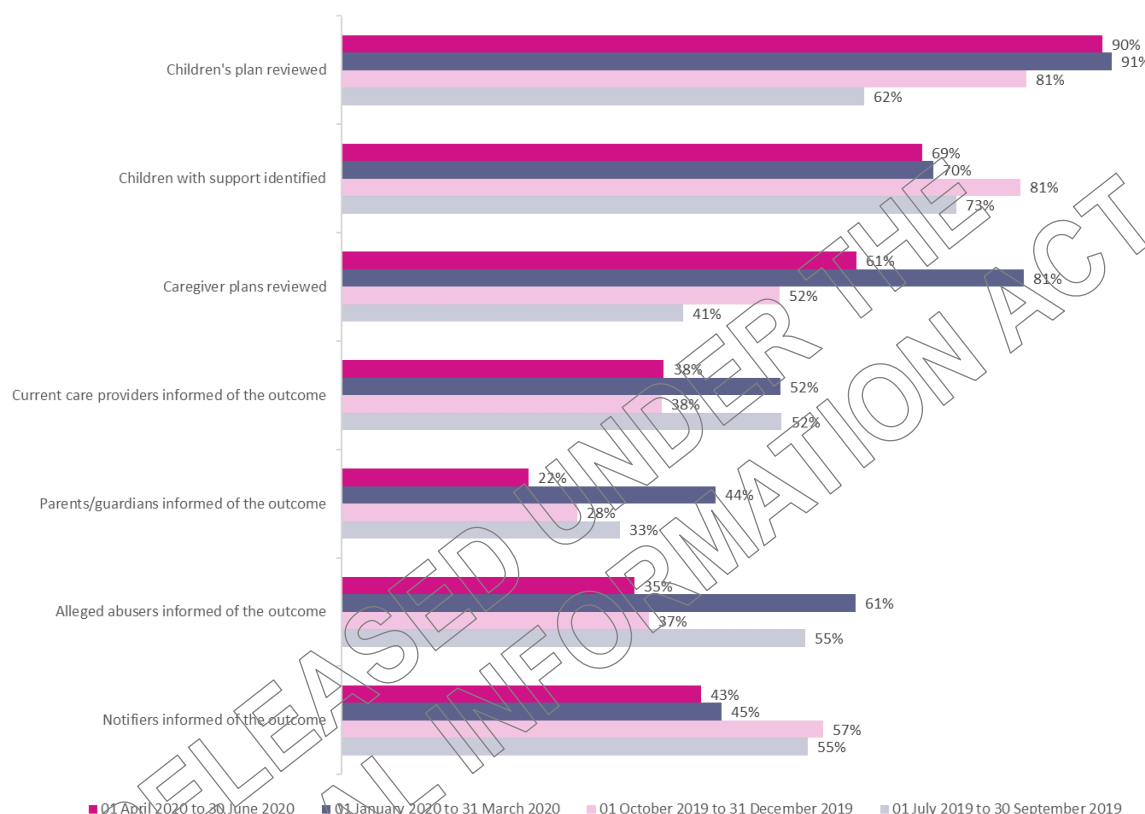
Graph Three – Percentage of care plans updated for te tamaiti following the outcome of a Child and Family Assessment or Investigation.

Experience

Some staff from the three sites told the Monitor they felt pressure and tension between visiting tamariki and rangatahi and completing paperwork on time. What was apparent across all sites is that the social workers we spoke to were passionate about the needs of the tamariki coming first.

Appropriate Steps are Taken

The following data showing compliance with individual requirements was provided by Oranga Tamariki.

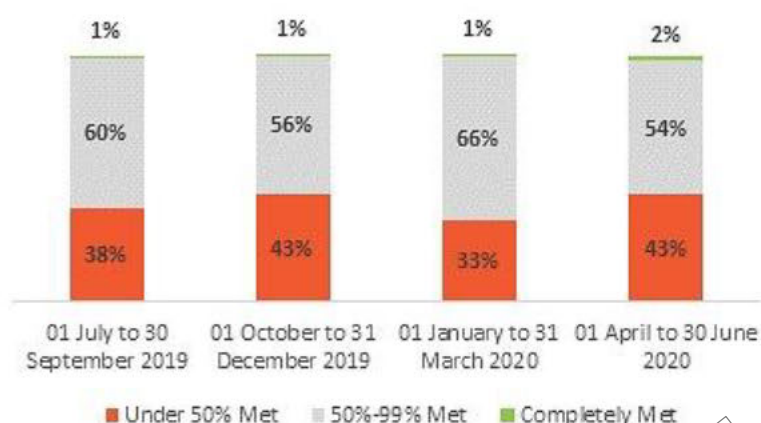


Graph Four – Percentage of incidents that complied with each appropriate step.

Oranga Tamariki Performance Requirements as per its Definition

Oranga Tamariki analysed its data to identify the percentage of cases where all aspects of the practice defined in its *Overview of Care Standards Regulation 69 and 85 Practice Requirements, Monitoring Approach and Measures and Reporting Mechanisms* (practice requirements) were met in response to allegations of harm for individual tamariki and rangatahi¹⁴.

¹⁴ Oranga Tamariki defines regulation 69 as emotional, physical and sexual abuse and neglect. Risk of harm caused by abuse or neglect when applied within regulation 69 is limited to abuse or neglect that is caused whilst in care or custody and therefore will not apply to the harmful impact of previous trauma arising from abuse or neglect prior to entry to care. For full definitions please refer to the Monitor's initial report pages 69-74 <https://www.icm.org.nz/reports/report-one/>



* Please note percentages do not add to 100 percent due to rounding.

Graph Five – Percentage of allegations of abuse or neglect that had a finding that complied with all aspects of regulation 69.

As noted in graph above:

- all 12 practice requirements were recorded as being met for approximately one percent of tamariki and rangatahi
- 59 percent of allegations were recorded as having six or more of the practice requirements met
- 40 percent of allegations were recorded as having fewer than six of the practice requirements met.

From its own 12 practice requirements, Oranga Tamariki identified three areas of practice that it sees as potentially being of greatest importance for tamariki. These are:

- to review a child's plan
- to ensure that support mechanisms are in place to address the impacts of harm
- to confirm the communication of outcomes to tamariki.

It reported that its compliance has improved from 19 percent compliant in the period 1 July 2019 to 30 September 2019, against these three measures, to 29 percent in the period 1 April 2020 to 30 June 2020. While there has been some improvement in the measure, records show that 71 percent of tamariki and rangatahi did not have these three most important practice requirements met.



Initiatives Implemented to Support Outcomes for Tamariki and Rangatahi in Relation to Regulation 69

Oranga Tamariki

Experience

Across the three Oranga Tamariki sites visited, staff indicated the working relationship with iwi has set in place a strong foundation from which tamariki, rangatahi and their whānau can be supported. This has been highly valued by staff at all levels.

A social worker at one site said, "it's great we just pop down to the local [iwi] provider and we are always welcome. We work together as we all want our moko to thrive." Reciprocally, the local iwi provider is often at the local Oranga Tamariki site and have a desk they can use. There has been a great deal of effort put into strengthening the relationship and building trust between the two groups. This foundation has led to them working together to support all involved when there is an allegation of abuse or neglect.

In relation to regulation 69, staff at one Oranga Tamariki site said that support from its local leadership has created an opportunity to operate in a te ao Māori way. They told us that the site has adopted a strength and solutions-based process, which enhances positive outcomes. This includes processes associated with allegations of abuse and neglect.

The following information was requested from all agencies.

- Provide information on any initiatives that have been implemented to support better outcomes for tamariki and rangatahi in relation to regulation 69.

Barnardos

Barnardos has developed a set of measures with the aim of reducing disparities for Māori tamariki and rangatahi. It has been designing ways to capture information on its client management system.

It has amended its foster care induction training to support cultural components of s7AA¹⁵. In this way, it hopes to better equip prospective caregivers to meet and respond to the needs of tamariki and rangatahi in a culturally appropriate way.

¹⁵ Section 7AA is the duties the Chief Executive must carry out to recognise and provide a practical commitment to the principles of Te Tiriti o Waitangi – Oranga Tamariki Act 1989.

Barnardos advised that its Foster Care s7AA Action Plan addresses the need for an additional competency specifically focused on the cultural needs of tamariki and rangatahi in care, and how caregivers can be supported to achieve this. This discussion has included the need for ongoing cultural oversight from partners.

Barnardos reported several initiatives that it has implemented to better support outcomes for tamariki and rangatahi in relation to regulation 69, in line with s7AA:

- Tamariki and caregiver plans are reviewed every three to six months in conjunction with Oranga Tamariki. These are then approved by either the Barnardos team leader or senior management. In this way, Barnardos ensures quality assurance and maintains oversight of the placement stability and potential risk factors.
- Incident reporting is entered via the client management system, which must now be approved by a team leader or senior management. This enables data collection that provides information towards self-monitoring for continuous improvement and national visibility of incidents.
- A monthly staff webinar is held to introduce local iwi connections.
- Appointment of cultural advisors to work with Barnardos rangatahi to find and connect with their iwi links. These advisors also support staff in their knowledge of te ao Māori, and weaving this into everyday practice.
- Development on a National Action Plan with the National Manager Māori is underway, to build relationships with local hapū and iwi with the intention of being able to return rangatahi home.

Open Home Foundation

Open Home Foundation reported that it is in the process of building relationships with many iwi and Māori groups throughout New Zealand, which will help ensure tamariki and whānau get the best and most appropriate support in the event of allegations being made.

It has also adjusted its Abuse Allegations of a Child or Young Person in Care policy and process adding the requirement that if the rangatahi or tamaiti is Māori then the Te Kaiwhakahaere Matua (General Manager Māori) is to be consulted. This will help ensure that the response and support provided is culturally appropriate for te tamaiti, their whānau and/or those caring for them.



Assurance Processes for Barnardos, Dingwall Trust and Open Home Foundation

The following information was requested from the three agencies.

Provide any evidence of assurance that the systems and processes in place to identify any allegations of abuse or neglect are working as per your policy; in particular, the assurance processes relating to whether all/any allegations have been identified and reported.

Please provide any insights from analysis of data that have resulted in a change to practice and any action plans that have been put in place to improve performance relevant to regulation 69.

These agencies have a differing role to that of Oranga Tamariki regarding an allegation of abuse or neglect. Oranga Tamariki carries out the investigation and the relevant agency supports te tamaiti, whānau and caregivers through the process, and updates tamariki and caregiver plans following the outcome of the investigation. All agencies have an obligation to report any allegation regarding a child in their care or custody to Oranga Tamariki as soon as staff are made aware of the concern.

Due to the differing roles, different questions were asked of the three agencies. These were based around the systems, processes and assurances used when involved in an allegation of abuse or neglect.

Barnardos

Barnardos reported that it had not received any allegations of risk of harm caused by abuse or neglect over the last 12-month reporting period. As such, the Monitor did not carry out validation activities.

In reporting to the Monitor, Barnardos noted it has created a risk of harm spreadsheet and updates its record into its updated client management system. The spreadsheet provides all staff a national view of child protection incidents or serious incidents that meet the threshold of regulation 69. Barnardos reports it continues to regularly review and update policies to respond to an allegation of abuse or neglect, and it can respond quickly and safely.

Dingwall Trust

Dingwall Trust also reported that it did not receive any allegations of risk of harm caused by abuse or neglect over the last 12-month reporting period for children in its custody. As such, the Monitor did not carry out validation activities.

From its reporting, Dingwall Trust stated that the responsibility for incident reporting currently sits with its social work team. The Trust is trialling an incident reporting application, *PeopleSafe*.

Dingwall Trust reports it continues to regularly review and update its policies to respond to an allegation of abuse or neglect, and it can respond quickly and safely.

Open Home Foundation

Open Home Foundation reported that its Abuse Allegations of Child or Young Person in Care policy and associated process has been updated. The Monitor undertook a site visit to hear the experiences of staff in dealing with regulation 69.

It was reported by Open Home Foundation that, resulting from analysis of its processes, it has updated its policies to state that foster parents must be informed that there is a possibility that the Police may become involved in an allegation of abuse or neglect.

Open Home Foundation discussed with the Monitor that it is the role of Oranga Tamariki to undertake the investigation of an allegation of abuse or neglect. The role of Open Home Foundation is to report any allegation to Oranga Tamariki, ensure that all the standards under regulation 69 are undertaken, and support tamariki, rangatahi, their whānau and the caregiver. Following the outcome of the investigation, Open Home Foundation develops and implements revised child and caregiver plans. Open Home Foundation staff told the Monitor they appreciated the strong working relationship with their local Oranga Tamariki site. Throughout the process, the agency is updated on developments by Oranga Tamariki.

Open Home Foundation reported that it has been improving its systems and processes, and this has brought greater clarity for its frontline social workers. The client management system has been updated to enable leadership to track the progress of any allegation of abuse or neglect in real time and is actively used. Staff are given comprehensive training to ensure that tamariki wellbeing is at the centre of the process.

It was also reported that staff support tamariki, rangatahi and caregivers both during and after the investigation. The social worker for the child will consult with the social worker for the caregiver to ensure that when they review the plans they work well together.

Experience

The Monitor spoke to several members of the team at one Open Home Foundation service centre. Like the engagement with Oranga Tamariki sites, the views of the Open Home Foundation staff do not reflect the views of all staff but do provide a snapshot of the mahi undertaken at that service centre.

The staff reported to the Monitor that as an organisation it does not deal with many allegations of abuse. The team members the Monitor spoke with had sound knowledge of the organisation's policies and procedures regarding regulation 69.

These staff reported that the policies and procedures were clear and allowed them to work quickly and collaboratively, and the way the organisation has set up this process allows staff to feel confident when dealing with an allegation of abuse or neglect. A staff member commented to the Monitor that they feel supported and do not have to do anything alone.



Assurance Process for Oranga Tamariki

Under the Memoranda of Understanding between the Monitor and the agencies, it was agreed to provide information and data around their internal self-monitoring. The Monitor has used the agencies' own analysis to answer questions relating to the processes and systems to support compliance with regulation 69.

Oranga Tamariki has also provided its internal self-assessment and analysis as part of the data request made by the Monitor.

Oranga Tamariki has implemented three new assurance processes to provide a complete view of regulation 69.

- Routinely reviewing a random sample of tamariki in care to ensure that where allegations are raised these are formally recorded.
- Reviewing a sample of reports of concern where a decision was made that *No Further Action* was required to assess the appropriateness of this decision.
- Reviewing a sample of cases 12 months after a finding of harm to establish whether the longer-term actions needed to address the impact of harm experienced by tamariki were implemented. This work commenced in October 2020.

The following information was requested from Oranga Tamariki.

- Provide a detailed flowchart or process map describing the assurance processes in place to meet the requirements of regulation 69 relating to decision-making at the National Contact Centre and sites
- Provide any evidence of assurance that the systems and processes in place to identify any allegations of abuse or neglect are working as per your policy, in particular the assurance processes relating to whether all/any allegations have been identified and reported.

Please also provide:

- any insights from analysis of data that have resulted in a change to practice and any action plans that have been put in place to improve performance
- an update on the Performance Management Framework, including the development of the new reporting suite that allows sharing of performance information across the organisation, as detailed in Oranga Tamariki feedback to the Monitor (Second Reporting Cycle Supplementary Questions)
- any information and data relating to site self-assessments relevant for regulation 69
- information, results and reporting relating to the Quality Practice Tool, and site quality practice checks relevant to regulation 69.

Additional assurance activity is undertaken by Oranga Tamariki through the Safety of Children in Care Unit, the Professional Practice Group (PPG) and frontline practice leaders using the Quality Practice Tool (as defined under Quality Practice page 35 of this report).

The June 2020 report noted that Oranga Tamariki introduced a new assurance process over the decision-making regarding allegations of abuse or harm at the National Contact Centre.

Current Oranga Tamariki policy states that all allegations of abuse or neglect in relation to children in care will be referred to the site. The Monitor requested a process map to show how Oranga Tamariki assures itself that the correct decisions were being made for those cases where it was decided that *No Further Action* was required.

Oranga Tamariki provided the Monitor two process maps outlining the assurance steps taken in relation to allegations of abuse and neglect. The first is for the National Contact Centre, the second for all sites (refer to process map – Appendix Four).

The National Contact Centre Assurance Process Map demonstrates process steps; however, it does not explain the assurance measures. The map showed only “optional” or “may” consultation or reviews occur. Oranga Tamariki has stated that this fits with its random sampling technique. It does not limit the number of cases that are checked at either of these stages and a new social worker, for example, may have more assurance checks completed at each of the decision-making points than others.

This method, while demonstrating development of practice, does not provide consistency of assurance checks. In contrast, the Site Assurance Process Map shows that the supervisor reviews and approves the decision-making element of the process and this is then reviewed by the Care and Protection Resource Panel.

Experience

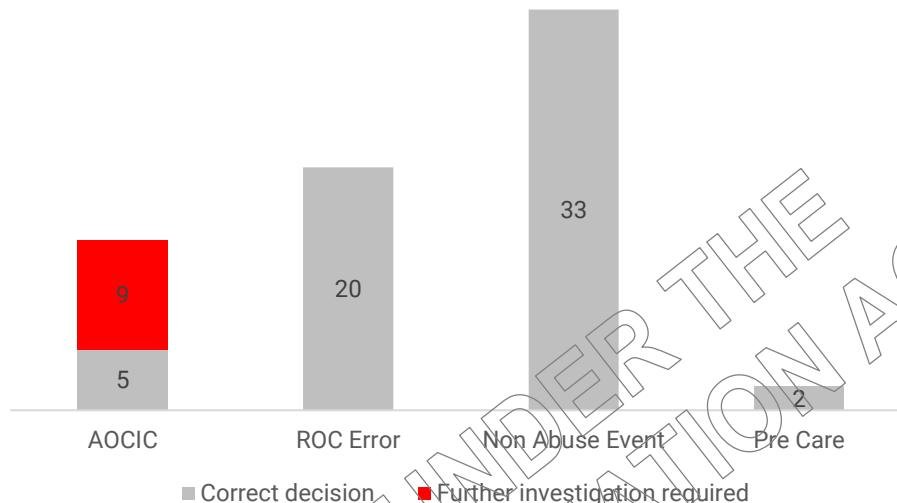
During the Monitor's visits, a staff member said the introduction of the NCS Regulations has focused their work, as the introduction of the standards highlighted that they did not have a good process to manage an allegation of abuse or neglect. As a result, the site has created its own checklist to ensure it is undertaking best practice as per the guidelines and policy set by Oranga Tamariki.

No Further Action Decision-Making

In response to regulation 69(1), the June 2020 report highlighted a new process implemented by Oranga Tamariki for allegations of neglect or abuse. This process is related to tamariki or rangatahi in care where it is determined that no further investigation or assessment is required.

The Monitor wrote in the June 2020 report that Oranga Tamariki had begun sampling decisions where no further investigation was required. This was being done to assess the quality of decision-making. Of the 1,831 allegations received, in 612 cases a decision was made at the National Contact Centre or a local site that *No Further Action* was required. Putting the assurance process in place is a positive step as Oranga Tamariki need to have confidence that decision-making is robust.

Oranga Tamariki undertook a review of a sample of the 156 reports of concern for children in care from 1 April 2020 to 30 June 2020. The random sample size was 69 entries, relating to 51 distinct incidents. The nature of concerns and subsequent rationale for the *No Further Action* required response were classified as per the following graph.



Graph Six – Results of reviewed allegations of abuse or neglect that resulted in *No Further Action* needed¹⁶.

From its own data and analysis, Oranga Tamariki reported that 14 instances reflected allegations of abuse or neglect for children in care. After further analysis, five out of the 14 cases were reported by Oranga Tamariki to have been accurately determined as requiring *No Further Action*. Considering the number of cases where the decisions were inaccurate, the Monitor has asked Oranga Tamariki what steps it is taking to improve decision-making accuracy.

For the nine cases where the decision appeared inaccurate, Oranga Tamariki contacted local sites to follow up with these tamariki and rangatahi and their whānau.

¹⁶

- Abuse of Children in Care (AOCIC) – entries that related to incidents alleging possible abuse or neglect whilst the child was subject to a custody status and therefore would require an assessment or investigation:
- Report of Concern (ROC) error – those where a report of concern was wrongly created
- Non-Abuse Event – those that did not require a Child and Family Assessment or Child Protection Protocol investigation with Police
- Pre-Care – concerns related to incidents that occurred prior to children being subject to a custody status and therefore not reportable under requirements of regulation 69.

Oranga Tamariki stated, 'Our Business Implementation and Operational Support teams provide targeted support to NCC, Sites and Regions when trends and issues like this are identified. The monitoring of NFA decision making is being strengthened. There is no intention to expand the sampling at this stage.'

The Monitor recognises that Oranga Tamariki will continue regular assurance and assess how its quality control of reaching the decision of *No Further Action* is determined. Due to the high number of cases where Oranga Tamariki reported the decision appeared inaccurate, the Monitor will continue to seek data and information on what Oranga Tamariki is doing to improve decision-making. This will be an area of ongoing focus for the Monitor's future reports.

Experience

In meeting with staff at the three sites, the Monitor was given insight into the assurance processes carried out at each stage of managing an allegation of abuse or neglect. The Monitor acknowledges that this is not a full representation of all staff working across Oranga Tamariki.

Staff were able to demonstrate that they had a working knowledge of the process that applies to regulation 69. At some sites that were visited, copies of flow charts, process maps and checklists, which have been developed to suit their site, were provided to the Monitor as evidence of their knowledge.

During the Monitor's visits, frontline staff identified that further training and clarification of roles and responsibilities when dealing with regulation 69 would be beneficial to their social work practice.



Performance Management Framework

Oranga Tamariki reported that it is currently in the process of refreshing its framework to ensure decision-makers and social workers have access to the data and information. The framework is in the late stages of development, and the initial tools to support sites to drive performance are in the prototype phase at two of its 60 sites.

The framework tools will cover the key elements of the NCS Regulations and, in most cases, directly replicate key metrics that will be monitored. This will allow sites to manage their own data and make improvements as needed. The initial focus of these tools is to support sites to lift performance when working with tamariki and rangatahi in care. Oranga Tamariki expects framework tools to be widely available across the country in early 2021.

This work aligns with regulation 86(1)(a).

Quality Practice

As well as using the site self-assessment tool, as required in regulation 86(1)(a) and (b), Oranga Tamariki reported that it initiated another continuous improvement process. The Quality Practice Tool. This covers the Oranga Tamariki Practice Standards¹⁷, the NCS Regulations and one thematic area of interest each quarter. It also focuses on the quality of practice in order to support continuous improvement in case work. The tool is used monthly, with one month in three focused on the National Care Standards. It provides a structured mechanism for sites to track their progress by applying a set of questions quarterly¹⁸ to a random sample of children in care by practice leaders and it uses a rating scale for each question from fully to not applicable.

The purpose of this tool is to provide feedback to staff, and monitor trends and themes identified in practice across a site, enabling additional practice improvement opportunities to be identified and addressed. At a national level, this information is used to support strategic and operational decision-making.

A further level of assurance has been undertaken by the PPG within Oranga Tamariki. The PPG undertook a random sample of 281 case files of tamariki in care or custody for longer than three months, and reviewed whether there was a new allegation of abuse or neglect while still in State care. If the finding was yes, the PPG undertook a further investigation to confirm if a new report of concern had been entered.

¹⁷ Practice standards are the benchmarks for social work practice for Oranga Tamariki. For more information on the Oranga Tamariki website <https://practice.orangatamariki.govt.nz/practice-standards/>

¹⁸ A period of three months.

In 36 out of 281 cases (13 percent), the PPG found information that indicated there were circumstances of potential harm that required further assessment in the previous 12 months.

It was found that a new report of concern was not made for 15 of these cases where it would have been the appropriate response. When PPG-led case file reviewers identify a case in which it appears that an allegation has been made, but a report of concern has not, the case is escalated to the site for their follow up.

Experience

When visiting Oranga Tamariki sites, the Monitor noted that practice varies from site to site, which allows for sites to respond flexibly to local needs, relationships and initiatives. For example, one site initiated a change in process at that site that meant the practice leader no longer had oversight of individual allegations of abuse or neglect. Previously when they had oversight of a case, the practice leader was able to identify gaps in practice that would then lead to tailored training for staff at that site. In contrast, another site holds a cross-team case consult when an allegation of abuse or complaint is made. At these consults, the social worker takes the lead in addressing the allegation and the case is then further reviewed by the site leadership team to ensure any practice gaps are identified.

The Safety of Children in Care Unit

The ongoing work of the Safety of Children in Care Unit is a positive step forward for Oranga Tamariki as it looks to improve the outcomes for tamariki and rangatahi in State care. Oranga Tamariki reported that the Unit's role is to ensure a greater understanding of harm and the circumstances in which it happens. It can identify emerging trends and patterns to inform continuous practice improvement across Oranga Tamariki. This enables Oranga Tamariki to focus on the areas of practice that are under-performing for tamariki and rangatahi in care, as well as their whānau and caregivers.

The establishment of this Unit and its continuing work is a tangible demonstration of the commitment Oranga Tamariki has made to continuous improvement.

Continuous Improvement Programme – Oranga Tamariki

Oranga Tamariki has undertaken a programme of continuous improvement activities and acknowledges the need for further improvements in consistency of practice related to the implementation of the NCS Regulations. From its own internal self-assessment, it has already set some immediate areas for focus as follows.

- Responding to allegations of harm and ensuring that areas for practice improvement can be targeted and prioritised.
- Prioritising immediate actions needed to ensure the safety of tamariki where allegations of harm were raised.

The following information was requested from Oranga Tamariki.

In line with your continuous improvement programme, in relation to the 12 performance measures identified in Oranga Tamariki operational policies for compliance with regulation 69(2)(a-d), please outline:

- which (if any) measures you consider to be areas for improvement
- which (if any) measures you consider to be areas of high performance
- what your target percentage for compliance cases against each measure is for the next reporting year
- if any measures have been identified as areas for improvement and provide your action plan for how you will aim to improve performance.



Areas for Improvement

The measurement of harm for children in care work carried out within the Safety of Children in Care Unit, regional sites and across all Oranga Tamariki, enables a thorough understanding of how it responds to allegations of harm and ensures that areas for practice improvement can be targeted and prioritised.

Oranga Tamariki has detailed an action plan for continuous improvement.

- Increased oversight of allegations against caregivers, including a particular focus on the timeliness for caregiver investigations.
- Providing coaching and support to specific sites through its internal quality assurance processes.
- Strengthening information and reporting for operational leaders, which will enable them to oversee and drive continuous improvement in practice at a local level. There is a particular focus on consistency of decision-making, communicating outcomes, accuracy of recording and timeliness.
- Developing additional resources for frontline supervisors to support them to oversee and assure the quality of investigations and assessments for tamariki.
- An increased engagement with frontline leaders to support them in their role in leading and championing best practice.
- Developing guidance for frontline practitioners on communicating outcomes of investigations and assessments for tamariki.
- Strengthening responses to return/remain home placements.

Tamariki Plans

Oranga Tamariki indicated that, from 1 July 2019, the requirement for *Caregiver Support Plans* and *All About Me Plans* provided social workers with a much stronger mechanism to explore the needs of tamariki and caregivers following an incident of harm. It continues to embed these tools and expects to see this area of practice improved.

The review conducted by the Safety of Children in Care Unit provides opportunities to understand how the needs of tamariki, rangatahi and their whānau were considered and responded to, and how Oranga Tamariki engaged with whānau when allegations of abuse were assessed.

The Monitor notes that the retrospective nature of monitoring means that the impact of the actions taken in response to the June 2020 report will not be realised within the timeframe of this report.

Recording and Reporting Consistency

Reduce the impact of harm

Part of the internal analysis of data by Oranga Tamariki found that there was a higher proportion of risk to tamariki and rangatahi who returned to or remained at home. To address this, Oranga Tamariki has introduced more support and resourcing for tamariki and rangatahi during transitions. This is a positive step that provides more support to family and whānau.

Communication of outcomes to tamariki and rangatahi

As noted previously in the report, communication with tamariki and rangatahi is part of its continuous improvement activities.

Experience

As noted previously, Oranga Tamariki has committed to work with its frontline staff to improve levels of recording. A small number of Oranga Tamariki staff the Monitor met with indicated that the system does not support accurate recording and often aspects of an allegation of abuse or neglect are only recorded in the child's plan or case notes on CYRAS¹⁹. Staff told the Monitor they feel that their first duty is to respond to the needs of tamariki and rangatahi. With high case numbers, it means that they can fall behind on administrative tasks, such as case-note recording.

Leadership, Relationships and Culture

The Monitor conducted three site visits to hear how frontline staff are making improvements to the system.

Experience

Leadership at sites and team culture play an important part in continuous improvement when working through an allegation of abuse and neglect.

The following information was requested from Oranga Tamariki.

Provide information on any other initiatives that have been implemented to support better outcomes for tamariki and rangatahi in relation to regulation 69.

During site visits, the Monitor noted that leadership across the sites was committed to improving practice as a team. Most staff noted that they felt supported and cared for. At one site, staff noted the positive role management played in embedding Oranga Tamariki values, and they felt this has greatly improved practice and the working environment. One staff member said, "it is so easy now to just walk over to another team and say, 'can you give me an update on this te tamaiti.'"

Leadership teams said that they have built and strengthened relationships with community-based organisations, government agencies and, importantly, with hāpu and iwi.

¹⁹ CYRAS – The national database used by Oranga Tamariki

At three sites, the Monitor heard that there is tension about the volume of policy and practice directions coming from National Office. Staff felt this was a constant issue and not just because of national emergencies and incidents. Staff felt that this information does not always go to the right person to implement, and policy and procedures seem to change often. This has meant that social workers are not sure if they are using current practice. Staff indicated that this was about all policies, including policy and practice for regulation 69.

At the sites the Monitor visited, they have a set time for training, although sometimes not all social workers can attend due to work demands and high needs of tamariki and rangatahi. All staff the Monitor met with felt that if this could be addressed, they would be able to improve their practice including better compliance with regulation 69.

Staff at the National Contact Centre indicated that they often felt the tension in managing call wait-times alongside undertaking good social work practice. When a challenging allegation about abuse or neglect is reported, staff utilise a peer support system alongside the normal supervision process. Through this process they seek their colleague's advice and support on how to manage the allegation.

At the National Contact Centre, staff said that professional development and training has to fit around the work and is not always a priority due to high call volumes. One social worker stated, "peer-to-peer support can be a good tool to use but it also has its limitations as to who is available at the time and is dependent on the capability and capacity of staff."

Staff at the National Contact Centre identified a gap that some staff, particularly those who work the nightshift or weekends, did not have access to the practice leads. The practice leads have addressed this by changing their working hours to cover some of the different shifts, so all staff have access to their knowledge base.

Appendix One: National Care Standards Regulations

Regulation 69 – Duties in relation to allegations of abuse and neglect

- (1) *The chief executive must ensure that any information disclosed passing on concerns in relation to a risk of harm caused by abuse or neglect of a child or young person in care or custody is responded to.*
- (2) *In carrying out the process for responding to the information, the chief executive must ensure that –*
 - a. *The response is prompt; and*
 - b. *The information is recorded and reported in a consistent manner; and*
 - c. *Where appropriate, the child or young person is informed of the outcome; and*
 - d. *Appropriate steps are taken with the parties to the allegation, including a review of the caregiver's plan*

Regulation 85 – Provision of information to independent monitor

The chief executive must ensure that information is provided to the independent monitor on –

- a) *Reports of abuse or neglect that the chief executive has received under regulation 69; and*
- b) *How those reports were responded to*

Regulation 86 – Self-monitoring

- (1) *The chief executive and an approved organisation with a child or young person in care or custody must monitor their own compliance with these regulations (self-monitoring) by–*

- a) *having systems in place for continuous improvement that identify and address areas of practice that require improvement; and*
- b) *using a system for self-monitoring designed to ensure the collection of information that will support the independent monitor to fulfil its monitoring role.*

- (2) *The Minister may at any time require the chief executive or any approved organisation with a child or young person in care or custody to report on the matters referred to in subclause (1).*

Appendix Two: Oranga Tamariki Information Requirements in Relation to Regulations 69 and 85 (and 86, as relevant) of the NCS Regulations

Section One: Phase One – Third Reporting Cycle Information Request – Oranga Tamariki

Ref	Question	Provider response (plus other information)
1	Provide a detailed flowchart or process map describing the assurance processes in place to meet the requirements of regulation 69 relating to decision-making at the National Contact Centre and sites.	
2	Provide detailed information, analysis of data, sampling results and any reports to Oranga Tamariki leadership on the sampling results from the assurance processes undertaken of cases that came into the National Contact Centre that did not go on to have a safety screen or further action as signalled in the Monitor's June 2020 report.	
3	<p>The June 2020 report noted that focus and improvement was needed in timeliness of investigations and assessments, and in letting tamariki and rangatahi know about the outcome of an assessment or investigation. Please outline what action has been taken to improve:</p> <ul style="list-style-type: none"> the timeliness of investigations and assessments carried out after an allegation has been made, including caregiver reviews practice to ensure tamariki and rangatahi are informed of the outcome of their allegation. 	
4	<p>Please also provide:</p> <ul style="list-style-type: none"> any insights from analysis of data that have resulted in a change to practice and any action plans that have been put in place to improve performance 	

Ref	Question	Provider response (plus other information)
	<ul style="list-style-type: none"> an update on the Performance Management Framework, including the development of the new reporting suite that allows sharing of performance information across the organisation, as detailed in Oranga Tamariki feedback to the Monitor (Second Reporting Cycle Supplementary Questions) any information and data relating to site self-assessments relevant for regulation 69 information, results and reporting relating to the Quality Practice tool, and site quality practice checks relevant to regulation 69. 	
5	<p>In line with your continuous improvement programme, in relation to the 12 performance measures identified in Oranga Tamariki operational policies for compliance with regulation 69(2)(a-d), please outline:</p> <ul style="list-style-type: none"> which (if any) measures you consider to be areas for improvement which (if any) measures you consider to be areas of high performance what your target percentage for compliance cases against each measure is for the next reporting year if any measures have been identified as areas for improvement and provide your action plan for how you will aim to improve performance. 	
6	Provide any additional information that you wish to in relation to regulations 69 and 85 that supports the agency's compliance with those regulations.	
7	Provide information on any other initiatives that have been implemented to support better outcomes for tamariki and rangatahi in relation to regulation 69.	

Section Two: Phase One – Third Reporting Cycle Data Request – Oranga Tamariki

We are requesting data about the population of children in care, as well as operational reporting, compliance data and assurance data that relates specifically to allegations of abuse or neglect of tamariki and rangatahi in care. If any data is unable to be provided or Oranga Tamariki considers it inappropriate to provide, please provide a clear explanation and rationale for this decision. For all sections, unless otherwise specified, please provide the relevant data for the full year from 1 July 2019 to 30 June 2020, split by each quarter. Please provide the following:

<p>General information for children and young people in custody as at the last day of a reporting period.</p>	<ol style="list-style-type: none"> 1) Number of tamariki or rangatahi in custody as at 31 March 2020 and 30 June 2020 for care and protection and separately for youth justice and a breakdown of those tamariki and rangatahi by site, region, age, ethnicity, gender, disability, placement type and agency with care (for s396 placements). 2) Break down of tamariki and rangatahi in custody as at 30 September 2019 and 31 December 2019 by site, region, age, ethnicity, gender, disability, placement type and agency with care (for s396 placements).
<p>Operational reporting data and information on all allegations of abuse or neglect in relation to tamariki and rangatahi in care received by Oranga Tamariki.</p> <p>Please provide separate data for reporting period 01 January 2020 to 31 March 2020 and 01 April 2020 to 30 June 2020.</p>	<ol style="list-style-type: none"> 3) Number of reports received in relation to allegations of abuse or neglect of tamariki or rangatahi in care received by Oranga Tamariki (including reports made by s396 providers). 4) Number of reports of concern assessed as requiring further action in relation to allegations of abuse or neglect of tamariki or rangatahi in care. 5) The number of reports of concern closed without a Child and Family Assessment (C&FA) or Child Protection Policy (CPP) investigation in relation to allegations of abuse or neglect of tamariki and rangatahi in care. 6) Number of reports of concern received by site that have had a safety screen completed in relation to allegations of abuse or neglect of tamariki and rangatahi in care 7) Number of C&FA or CPP investigations completed in relation to allegations of abuse and neglect of tamariki and rangatahi in care.
<p>Findings data for all allegations of abuse or neglect reviewed by the Safety of</p>	<ol style="list-style-type: none"> 8) Number of tamariki and rangatahi with findings of harm recorded (abuse or neglect). 9) Number of findings recorded for each abuse type (emotional, physical, sexual and neglect).

Children in Care Unit
(SoCiC Unit).

Please provide
separate data for
reporting period 01
January 2020 to 31
March 2020 and 01
April 2020 to 30 June
2020.

Data for all
allegations of abuse
or neglect reviewed
by the SoCiC Unit.

Please provide
separate data for
reporting period 01
January 2020 to 31
March 2020 and 01
April 2020 to 30 June
2020.

- 10) Number of tamariki and rangatahi with findings within each abuse type (emotional, physical, sexual and neglect).
- 11) Number of tamariki and rangatahi with 'not found' recorded (no abuse/neglect).
- 12) Number of tamariki and rangatahi with relationship/behavioural difficulties recorded (no abuse/neglect).
- 13) Breakdown of findings by age, gender, ethnicity and site.
- 14) What the placement arrangements (placement type) were for the child at the time of abuse incident.
- 15) Where the abuse occurred – in or out of placement.
- 16) Who is responsible for harming the tamariki or rangatahi – alleged abuser type.
- 17) Number of safety and risk screens completed on time with narrative summary.
- 18) Number of C&FA or CPP investigations completed on time with narrative summary.
- 19) For C&FA or CPP investigations not completed on time with narrative summary, please provide a breakdown of time taken to complete.
- 20) Number of findings that were reviewed as inaccurate (either abuse not recognised or non-abuse event wrongly assessed as abuse or wrong abuse type defined).
- 21) Number of findings with information missing (dates, alleged abuser info or placement type info wrongly captured or absent).
- 22) Number of appropriate placement changes with narrative summary that incorporates any safety planning limitations.
- 23) Number of tamariki and rangatahi with care plan reviewed.
- 24) Number of tamariki and rangatahi with supports in place to address impact of harm.
- 25) Number of caregivers with support plans reviewed (where appropriate – i.e. not for tamariki in return/remain home or residential placements or some non-family care provision-FGH /SGH).
- 26) Number of tamariki and rangatahi informed of outcome where appropriate or not informed where inappropriate.
- 27) Number of parents/guardians informed of outcome where appropriate or not informed where inappropriate.

- 28) Number of caregivers informed of outcome (caregiver providing care at time of assessment and not necessarily time of incident) where appropriate or not informed where inappropriate.
- 29) Number of alleged abusers informed of outcome (including caregivers where appropriate) where appropriate or not informed where inappropriate.
- 30) Number of notifiers informed of outcome where appropriate or not informed where inappropriate.

Data relating to the number of tamariki and rangatahi where ALL relevant aspects of reg 69(2)(a-d) were met for them as per Oranga Tamariki definitions.

Please provide separate data for following reporting periods:

- 31) 01 July 2019 to 30 September 2019
- 32) 01 October 2019 to 31 December 2019
- 33) 01 January 2020 to 31 March 2020
- 34) 01 April 2020 to 30 June 2020

Please provide any analysis carried out.

Appendix Three: Approved Organisations' Information Requirements in Relation to Regulations 69 and 85 (and 86 where relevant) of the NCS Regulations

Section One: Approved Organisations Phase One – Third Reporting Cycle Information Request

Ref	Question	Provider response (plus other information)
1	Provide any evidence of assurance that the systems and processes in place to identify any allegations of abuse or neglect are working as per your policy; in particular, the assurance processes relating to whether all/any allegations have been identified and reported.	
2	Please provide any insights from analysis of data that have resulted in a change to practice and any action plans that have been put in place to improve performance relevant to regulation 69.	
3	Provide information on any initiatives that have been implemented to support better outcomes for tamariki and rangatahi in relation to regulation 69.	
4	Provide any additional information that you wish to in relation to regulations 69 and 85 that supports the agency's compliance with those regulations.	

Section Two: Approved Organisations Phase One – Third Reporting Cycle Data Request

We are requesting data about the population of children in the custody of your agency, as well as operational reporting, compliance data and assurance data that relates specifically to allegations of abuse or neglect of tamariki and rangatahi in care. For all sections, unless otherwise specified, please provide the relevant data for the full year from 1 July 2019 to 30 June 2020 split by each quarter. Please provide the following:

General information for children and young people in custody as at the last day of a reporting period.

For Open Home Foundation only.

- 1) Number of tamariki or rangatahi in custody as at 31 March 2020 and 30 June 2020 and a breakdown of those tamariki and rangatahi by site, region, age, ethnicity, gender, disability, placement type and agency with care (for s396 placements).
- 2) Break down of tamariki and rangatahi in custody as at 30 September 2019 by site, region, age, ethnicity, gender, disability, placement type and agency with care (for s396 placements).

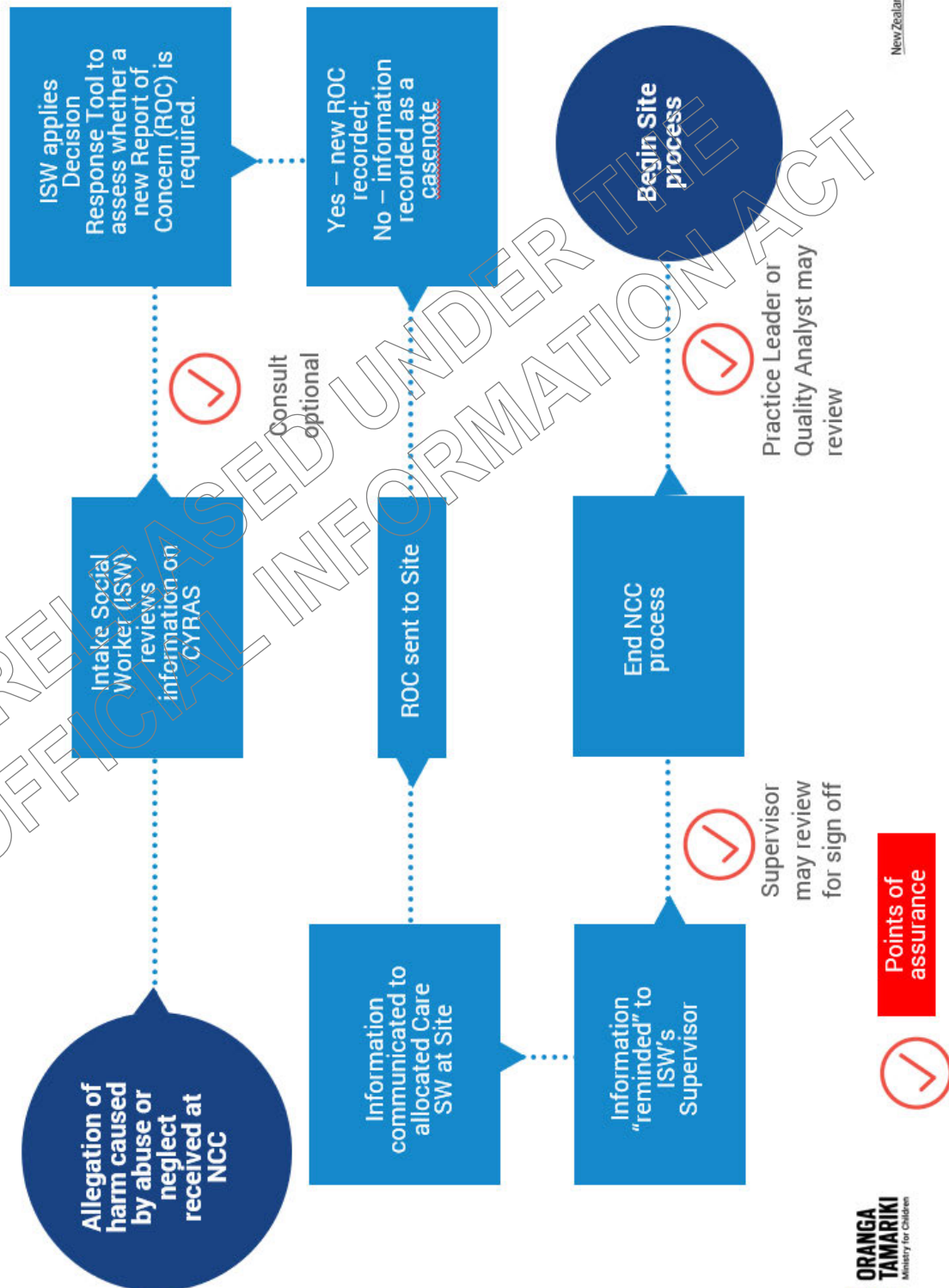
Information on all allegations of abuse or neglect in relation to tamariki and rangatahi in care received by your agency and reported to Oranga Tamariki.

Please provide separate data for reporting period 01 January 2020 to 31 March 2020 and 01 April 2020 to 30 June 2020.

- 3) Date the allegation was disclosed.
- 4) Date the allegation was reported to Oranga Tamariki.
- 5) Date your agency was notified whether the case would proceed to an assessment or investigation.
- 6) Whether any findings were determined in relation to the case and, if so, what they were.
- 7) Whether the tamaiti or rangatahi had their plan reviewed.
- 8) Whether the tamaiti had supports in place to address impact of harm.
- 9) Whether the caregiver had their support plan reviewed.
- 10) Whether an alternative placement was required for the tamaiti.

Appendix Four – Oranga Tamariki Assurance Process Maps

NCC Assurance process map





RELEASED UNDER THE
OFFICIAL INFORMATION ACT

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Independent Children's Monitor

The monitor
for the
Oranga Tamariki
system

Independent Children's Monitor
50 The Terrace, Wellington 6011
PO Box 1556, Wellington 6140
www.icm.org.nz
