MINISTRY OF SOCIAL DEVELOPMENT
TE MANATŪ WHAKAHIATO ORA

23 December 2025

Tēnā koe

Official Information Act request

Thank you for your email of 28 September 2025, requesting information about policies and evaluations of family violence and sexual violence programmes, and the Ministry's contribution to the Debt to Government framework.

I have considered your request under the Official Information Act 1982 (the Act). Please find my decision on each part of your request set out separately below.

> *Under the OIA, for 1 Jan 2018–present, please provide:*
>
> *Question 1: MSD policies/SOPs/guidance/training/templates for family/sexual-violence responses, including recognition and handling of coercive control and economic/financial abuse, and any interfaces with IRD (e.g., support where government debt or child-support obligations are implicated).*

The Ministry delivers child protection training (ChildSAFE), as part of staff induction. This is delivered online and generally takes around 15 minutes to complete. It briefly covers the definition of abuse, types of abuse (emotional, neglect, physical, sexual), signs of abuse, what to do if you think there has been or suspect abuse, sharing information about a child's wellbeing, and three multiple choice scenarios.

The Ministry employs 20 specialist Family Violence Response Coordinators (FVRCs) across the country. These coordinators play a vital role in supporting the Ministry's frontline staff by providing expert education, guidance, training, and ongoing support in matters relating to family violence. Their core responsibilities include helping staff to accurately recognise signs of family violence, respond safely and appropriately to disclosures or concerns, and refer individuals to relevant support services and agencies. This is an ongoing process of professional development, ensuring that Ministry staff continually build their capability and confidence in this complex area. The coordinators are considered essential to the Ministry's commitment to addressing family violence, ensuring that staff are equipped to support all clients—whether they are experiencing family violence or are identified as perpetrators. By embedding this specialist knowledge throughout the organisation, the Ministry strengthens its ability to contribute to safer outcomes for individuals, families, and communities.

We partnered with RISE to develop training for leaders of frontline staff. This training was focused on providing:

- A clear understanding of why we need to talk about family violence, exploring the dynamics, statistics, myths and biases and vulnerable communities most at risk of experiencing harm.
- Understanding of relevant legislation and protective orders to support reduction of harm.
- Increased awareness of the signs and impacts of family violence.
- Develop a trauma informed approach to responding to concerns or disclosures of family violence including:
- supporting our people to respond to clients who are at risk of experiencing or enacting harm.
- Supporting our own kaimahi at risk of/experiencing or enacting harm.

Each FVRC is responsible for supporting frontline staff within their region. For example, the FVRCs in Auckland provide support to approximately 2300 frontline staff. They stay well connected with staff on a daily basis to provide ongoing support and guidance on dealing with family violence (FV) victims, and staff who are going through FV themselves. All cases that involve FV, will be escalated to FVRCs.

Further work completed by FVRCs that has supported frontline staff and clients include:

- Escalating issues to Senior Management and reporting on trends and issues, so that regions can implement changes to improve processes when needed.
- Promoting White Ribbon Day in each Ministry office, which has become embedded in Ministry sites, and in particular encouraging men to participate.
- Assisting with changes to policy regarding Emergency Housing and supporting Hoteliers for FV victims during COVID-19.
- Assisting with changes made to the Domestic Violence Act.
- Providing support in Fraud investigations.
- Organising Guest Speakers to visit Ministry sites, ensuring staff have up-to-date knowledge on trends.
- Develop extensive networks of FV providers in their regions and work closely with them to ensure they have up-to-date information and resources for staff. It is important that our Case Managers know who is providing what services in our communities, and this information is now so much more widely known.
- Completing in person visits to all Ministry sites in their region, to engage with staff and be available to assist with any queries, and provide staff with updates on external providers and their programmes.
- Promoting Te Aorerekura as it is a consistent framework for the Ministry to align responses to and aligns with our own values and practice ethos.

Each FVRC tracks the trainings that they have completed with staff. Each month FVRCs complete a monthly report for their region. This report includes details of trends, cases, and completed trainings. This structured approach promotes consistency and accountability nationwide.

All new Case Managers have a brief introduction to the FVRCs and the work that they do and complete a Family Violence Intervention Programme training. The regularity of this training depends on the level of recruitment, and is tracked by Capability Managers, as well as FVRCs, which is reconciled against lists of current staff to monitor who has completed the training and who is yet to complete this.

There is ongoing work to refine how training completion and outcomes are measured, with continuous efforts to streamline these processes and enhance efficiency. At the same time, the development of future-focused training modules, will help ensure that staff remain well-equipped to support clients effectively. These initiatives reflect a strong and sustained commitment to staff development, continuous improvement, and the delivery of high-quality, responsive services across the Ministry. In addition, the Ministry is also developing new Family Violence training in line with the E2E capability framework as defined by Te Aorerekura. More information is publicly available on the Centre for Family Violence and Sexual Violence Prevention website, we are providing you with the link here: preventfvsv.govt.nz/national-strategy.

The Ethnic Communities Violence Prevention (ECVP) Programme supports the Ministry's commitment to Te Aorerekura, particularly Action 23 of the first Action Plan: developing prevention programmes for ethnic communities. The programme aims to address family violence and sexual violence (FVSV) affecting ethnically diverse communities through culturally responsive and community-led prevention initiatives.

Between 2022–2025, ECVP has contributed to the wider all-of-government FVSV system by:

1. **Strengthening FVSV capability across the public sector**
   Supporting specialist FVSV organisation/s serving ethnic communities to deliver training to professionals across government and non-government agencies. These training packages cover a wide range of FVSV topics, including recognising and responding to coercive control, economic/financial abuse, and other forms of FVSV specific to migrant and ethnic communities.
2. **Providing FVSV awareness resources**
   Developing culturally accessible resources, including the *Our Culture, Our Pride: No Excuse for Abuse* booklet (available in 13 languages), to raise awareness of FVSV, including coercive control and financial/economic abuse and harm, tailored for ethnically diverse communities.
3. **Supporting community mobilisation to prevent and respond to FVSV**
   Developing a community mobilisation toolkit focused on FVSV in ethnic communities, and delivering FVSV and community-mobilisation capability training to community partners. This includes building community capacity to recognise, respond to, and refer FVSV cases, including coercive control and financial/economic harm.
4. **Supporting community organisations to deliver FVSV prevention initiatives**
   Providing funding and capability support to ethnic, iwi-based, and

mainstream organisations working with ethnic communities to implement a range of FVSV prevention and early-response activities. Some of these initiatives specifically address financial abuse, coercive control, and child sexual abuse.

For more information about the ECVP programme, we are providing you with the following publicly available link on the Ministry's website: www.msd.govt.nz/about-msd-and-our-work/work-programmes/initiatives/family-and-sexual-violence/ethnic-communities-violence-prevention-programme.html

We would also point you to these additional publicly available resources on the Ministry website that are relevant to this part of your request:

- A previous Ministry response under the Act regarding information about the support and services Work and Income provides to people impacted by family violence (dated 12 August 2025): www.msd.govt.nz/documents/about-msd-and-our-work/publications-resources/official-information-responses/2025/august/12082025-a-breakdown-of-support-provided-to-people-experiencing-family-violence.pdf
- *Funding Contracting Service Guidelines*: www.msd.govt.nz/about-msd-and-our-work/publications-resources/service-guidelines/
- *About Child Advocates:* www.msd.govt.nz/about-msd-and-our-work/work-programmes/initiatives/family-and-sexual-violence/about-child-advocates.html
- *Publications and resources*: www.msd.govt.nz/about-msd-and-our-work/publications-resources/index.html

The Work and Income Map website contains guidance for staff on MSD policy and legislation. This includes considering a client's relationship status for benefit purposes when a client may be experiencing family violence and applies to all MSD assistance. You can find this information here:

- *Family violence:* www.workandincome.govt.nz/map/income-support/core-policy/relationship-status-for-benefit/family-violence.html
- *Emotional commitment:* www.workandincome.govt.nz/map/income-support/core-policy/relationship-status-for-benefit/emotional-commitment-01.html

Providing you with all guidance on Map that may be relevant to responding to this part of your request would likely require substantial manual collation. To be helpful, we are providing you with locatable Map guidance for specific MSD assistance that we have identified as relevant to this part of your request:

Jobseeker Support:

- *Exemptions from work/work preparation obligations for clients:* www.workandincome.govt.nz/map/income-support/main-benefits/jobseeker-support/family-violence.html
- *Exceptional circumstances to complete 26-week reapplication before expiry date:* www.workandincome.govt.nz/map/income-support/main-

benefits/jobseeker-support/victim-of-violent-crime-including-family-violence.html

Special Needs Grant

- *Client qualifies for and is getting the Special Needs Grant Family Violence Programme*: www.workandincome.govt.nz/map/income-support/extra-help/special-needs-grant/client-qualifies-for-and-is-getting-the-special-needs-grant-family-violence-programme.html
- *Eligibility to the Family Violence Programme:* www.workandincome.govt.nz/map/income-support/extra-help/special-needs-grant/eligibility-to-the-family-violence-programme.html
- *Family violence – sole parents: www.workandincome.govt.nz/map/income-support/extra-help/special-needs-grant/family-violence-sole-parents.html*

Child Support

- *Carers who need to apply for Child Support:* www.workandincome.govt.nz/map/income-support/core-policy/child-support/carers-who-need-to-apply-for-child-support.html
- *Carers who do not need to apply for Child Support:* www.workandincome.govt.nz/map/income-support/core-policy/child-support/carers-who-do-not-need-to-apply-for-child-support.html
- *Risk of violence to the carer or their children*: www.workandincome.govt.nz/map/income-support/core-policy/child-support/risk-of-violence-to-the-carer-or-their-children.html.
- *Child conceived as a result of incest or sexual violation: www.workandincome.govt.nz/map/income-support/core-policy/child-support/child-conceived-as-a-result-of-incest-or-sexual-violation.html*

Care and protection

- *Care and protection issues (Flexi Child Care):* www.workandincome.govt.nz/map/income-support/extra-help/flexible-childcare-assistance/care-and-protection-issues.html
- *Care and protection issues (Orphans Benefit/Unsupported Childs Benefit)*: www.workandincome.govt.nz/map/income-support/main-benefits/orphans-benefit-and-unsupported-childs-benefit/care-and-protection-issues-01.html

Debt

- *Relationship debt sharing: www.workandincome.govt.nz/map/income-support/core-policy/relationship-debt-sharing/relationship-debt-sharing.html*
- *Prosecuting partners:* www.workandincome.govt.nz/map/income-support/core-policy/relationship-debt-sharing/prosecuting-partners.html

Question 2: Assurance/audits/evaluations of MSD's FV/SV practice (including implementation of Te Aorerekura workstreams).

We have interpreted this part of your request to refer to assurance, audits and evaluations of the services that the Ministry commissions, rather than of the Ministry's internal practices. In order to provide this information in relation to the Ministry's internal practices over a seven year period, this would likely require substantial manual collation, pursuant to section 18(f) of the Act.

Please find attached the following resources:

- *Process evaluation of the Kaupapa Māori Harmful Sexual Behaviour Pilot*
- *Love Better: One Year On Campaign Review.*

We have also identified the following publicly available resources as relevant to this part of your request:

- *Safeman Safefamily: Uncover, Discover, Recover: The Peer-Led Journey to Redemption for Men Who Have Used Violence. Evaluation Final Report:* safemansafefamily.org.nz/wp-content/uploads/2023/12/SMSF-Evaluation-Final-Report.pdf
- *'Once were gardeners': Evaluation of the 'My Fathers Barbers' Barber Wānanga: www.sheisnotyourrehab.com/wm/wp-content/uploads/2023/04/MFB-Report-2-Sept.pdf*

Question 3: Any MSD contributions to the all-of-government "Debt to Government" framework (policy papers, guidance, monitoring, and actions).

Please see attached the following information that we have identified as relevant to this part of your request:

- REP/22/5/372 – Scope of the Debt to Government work, dated 11 May 2022
- REP22/5/487 – Debt to Government – Project update #2, dated 1 June 2022
- REP/22/5/488 – Policy report: Debt to Government – Debt framework, dated 1 June 2022.
- REP/22/6/568 – Debt to Government: Draft Cabinet paper, dated 17 June 2022
- REP/22/6/553 – Debt to Government: Comparing IR and MSD's approaches to writing off debt, dated 27 June 2022
- REP/22/9/915 – Aide-mémoire - Debt to Government - Report back and next steps, dated 27 September 2022

Question 4: Aggregated metrics/dashboards (non-identifying) relevant to these areas.

We have identified the following publicly available resources available on the Ministry website as relevant to this part of your request:

- *Benefit Fact Sheets Snapshots September 202 Quarter* (from page 12)*:* msd.govt.nz/documents/about-msd-and-our-work/publications-resources/statistics/benefit/2025/sep/sep-25-bfs-snapshot-a4.pdf
- *Benefit Fact Sheets: msd.govt.nz/about-msd-and-our-work/publications-resources/statistics/benefit/index.html*

- *Annual Report:*[1] www.msd.govt.nz/about-msd-and-our-work/publications-resources/corporate/annual-report/index.html

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.

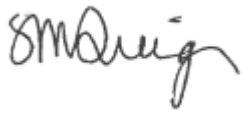
Some information is refused under section 18(c)(i) as making available the information requested would be contrary to the provisions of a specified enactment.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

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 my decision on your request, 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. 

Anna Graham
General Manager
Ministerial and Executive Services

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[1] 2018-2019: pp. 144-145.

2019-2020: p. 156

2020-2021: p.53

2021-2022: p.201

2023: pp. 76 and 117

2024: pp. 77 and 121

2025: pp. 23, 83-84 and 86.

Process evaluation of the Kaupapa Māori Harmful Sexual Behaviour Pilot

Report for the Ministry of Social Development

Jo Esplin and Rachael Tuwhangai

September 2019

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Mihi: Acknowledgements

E ngā mana, e ngā reo, e rau rangatira mā, tēnā koutou katoa.

Nei rā te mihi atu ki ngā kaikorero e whakapau kaha nei ki te tautoko i tēnei pūrongo arotake. He mea nui te arotake i ngā hōtaka tauira hou e whakawhanake ana i ngā rātonga e hāpai ana i ngā tāngata huri noa i te motu.

Ko te tumanako, mā tēnei pūrongo arotake e whakaata ai i ngā tini aronga, i ngā tini wheako hei akoranga mo te iwi, i ngā rā kei te heke mai.

Nā reira, nā ō tātou rourou katoa, ka ora ai te iwi

We sincerely thank the people who gave their time and perspectives to participate in this evaluation. Evaluating new approaches and pilots is an important part of development of services and supports in Aotearoa.

This report endeavours to faithfully reflect the range of views and experiences expressed through this evaluation process and to consider learnings for the future.

Thank you.

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Jo specialises in service reviews for improvement, design and service planning across the wider social services sector particularly in health, disability and the NGO sectors. She has a strong background in community services, social services as well as disability supports. She has extensive knowledge of policy, Funder and service provision working across all levels at any one time.

Jo holds a Master of Business Administration from Otago University and a Diploma in Teaching (Early Childhood). She is Chairperson of an NGO specialising in living without violence programs and is a member of the Australian Evaluation Society.

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Executive summary

Introduction

This report gives context to the Pilot and details the evaluation findings, concluding with Kaupapa Māori centred recommendations

This report begins by providing a backdrop for the reasons why the Kaupapa Māori Harmful Sexual Behaviour (KMHSB) Pilot (the Pilot) was commissioned and the rationale behind its subsequent evaluation. Commentary has been provided of the different stakeholder voices and their anticipated goals and activity as result of this Pilot. Observations of stakeholder relationship dynamics, the interplay between a Western values-based system and a Tikanga Māori based system, and how this impacted upon the differing understandings of Kaupapa Māori has been explored. Why the evaluation scope changed during the Pilot is explained, and the intended evaluation framework and key questions are outlined. The importance of adhering to evaluation ethical guidelines and consent processes are also highlighted. Due to the nature of the Pilot, this is contrasted alongside the integration of Kaupapa Māori values and elements. Finally, key learnings are summarised and Kaupapa Māori centred recommendations are made for the future.

A Pilot was developed through an open contestable process

In mid-2017, the Ministry of Social Development (MSD) designed and commissioned a pilot project to develop a community-based Kaupapa Māori Harmful Sexual Behaviour (KMHSB) service within an indigenous framework. The service was designed to work holistically with non-mandated[1] Māori adults who had exhibited Harmful Sexual Behaviour (HSB), and their whānau support networks to help prevent sexual harm, increase safety, and restore and enhance the mana of whānau and communities. Through a contestable process Korowai Tumanako was selected as the service Provider (the Provider) and awarded funding for the Pilot. The pilot was for $217,832 (plus GST) over the 18 months (averages to circa $12,000 a month). There is a difference of opinion over what the total contract value included as components in the pricing. Korowai Tumanako report that they felt under duress to sign the contract even though they did not agree with all components, e.g. the volumes.

Through a separate contestable process, Sapere Research Group, in partnership with Māori and Pasifika Support Services (MAPSS) were selected to provide an independent evaluation of the Pilot. Despite our transparency and willingness to meet the varied requests and expectations of the Provider, we acknowledge that following a process of feedback and review, the Provider did not provide any in depth feedback about the report and consequently chose not to endorse this report. This is mainly due in their opinion that Sapere is a mainstream, non-Kaupapa Māori organisation. This is despite Sapere engaging a Kaupapa Māori evaluator. Sapere prides itself on its values, being independence, integrity and objectivity and all work is undertaken with these in mind. However, the Pilot Provider feels that main stream organisations are unable to reflect a Kaupapa Māori approach. We have a differing opinion on

[1] Non mandated being not required to attend the programme by a legal agency e.g. Corrections, Police.

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that, and it has been agreed that we will continue to differ in this. We have proceeded to make the changes the Provider requested where they did not contravene our objectivity and findings.

Evaluation areas were revised to reflect findings

An evaluation plan and framework were negotiated at the commencement of the Project with the Funder and with the Provider, prior to Pilot commencement. The framework consisted of five phases, which reflected the Pilot in its entirety. Key evaluative tasks were provided under each phase. Due to unanticipated delays in the contract being signed between the Provider and the Funder, and low participant numbers, the evaluation was changed to focus on the first phase only of the Pilot, the Mōhio phase only. Thus, it was rescoped as a Process Evaluation. All interviewees believed there was learning to be gained from the planning and start-up of the Pilot.

The key findings from the process evaluation have been summarised under the six evaluative tasks of Phase 1 of the Pilot; the Mōhio phase. These are:

- contract proposal process
- Provider selection process (*task added during the writing of this report*)
- contract negotiation process
- contract procurement (*task added during the writing of this report*)
- programme marketing and promotion
- personnel recruitment selection and support

Key findings

Evaluation findings have been arranged under evaluation task headings for Phase 1 of the Pilot; the Mōhio Phase.

Contract proposal process

The contract proposal process included an advertisement of the Pilot on GETS (Government Electronic Tendering Service), and a Request for Proposal. The term Kaupapa Māori was used generically in the initial documentation, yet no clear definition what Kaupapa Māori was, and what role it played in such a Pilot was provided, or agreed, in any depth. Shared understandings of important cultural concepts underpinned by Kaupapa Māori and agreed definitions were not in place during the Pilot. At times the differing understandings caused tension between project participants. There were Kaupapa Māori HSB guidelines[2] publicly available; however, these were in draft form, and therefore had not yet been widely socialised, nor fully implemented in to systemic processes.

Different terms were used in project documentation to describe the Pilot. The terms 'culturally effective', 'indigenous' and 'Kaupapa Māori' were all used to describe the same Pilot. These terms mean different things to different groups of peoples, each providing different perspectives of where the power base was situated. The use of these differing terms in project documentation, highlighted that there was no

[2] Ministry of Social Development, Community Investment. *Harmful Sexual Behaviour services for non-mandated adults Kaupapa Māori Pilot Guidelines.* Draft. May 2017

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shared understanding or agreement of what the philosophically underpinnings of this pilot should have been. We put forward that Kaupapa Māori in short embodies Māori autonomy and self-determination.

Contract procurement and funding

Prior to the inception of this pilot, there were no dedicated funds set aside for Kaupapa Māori HSB projects, despite the high need for targeted work amongst Māori. The funds used for this pilot were drawn from a pool of generic, mainstream HSB funds. The funds allocated to the pilot were set by the Funder and were not able to be negotiated. There were differing opinions of what the funds could have and should have been used for.

Once the Provider was advised of their successful application, a commissioning process was engaged. The contract procurement process for this pilot was an open process and was undertaken through a Western centric, hierarchical decision making and procurement model.

Provider selection process

There is evidence to show that a high calibre selection panel evaluated all proposals received by MSD to lead the pilot. The panel consisted of field experts and representatives from Government Organisations, such as MSD, Oranga Tamariki and Te Puni Kōkiri. Both Māori and Non-Māori panellists were involved in the process of selecting who the Provider would be. Applicants were required to take part in a two-step procurement process which involved applying for the contract by submitting a proposal and getting short listed, and then secondly presenting to a proposal selection panel. Applicants were scored based on an agreed scoring system, with Kaupapa Māori approaches being one of the criteria for selection and contributing to 35% of the overall evaluation weighting. The panel then made a recommendation on who should be awarded the contract.

Contract negotiation process

The contract negotiation process involved the Funder and the Provider working together to agree upon a set of key deliverables for the project, as well as expected service levels (participant volumes). There were differing versions of what occurred and was expected during the contract negotiation process, and what was expected of the Provider. The Provider believed that what was expected of them in terms of project deliverables was added after the contract negotiation process had occurred, and therefore placed them in a vulnerable position. In contrast however, the Funder believes that all changes were documented and agreed to before any changes were signed by the Provider. An important learning here is for both parties to keep a clear set of meeting notes and sharing these notes after negotiation meetings. This is critical so there is a shared understanding of what occurred and was agreed.

Programme marketing and promotion

It became evident after a short amount of time, that it was difficult to recruit non-mandated Māori adults who had exhibited HSB behaviour. This was compounded by other HSB Providers working with Māori, in the same location as the designated Pilot. Possibly due also in part to the fact that the Provider was already working with a number of Māori adults in mainstream HSB programmes, which may have impacted on the potential pool of participants. Given the timeframes written in to the contract, to prepare a KMHSB programme, and to recruit participants, there was an apparent assumption that recruiting participants was going to be relatively easy, as there is such a need for a Kaupapa Māori based service. However, this was not the case, and there were significant challenges with recruiting non-

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mandated participants. A lot of time investment was required to work with those that were identified, to see if they would end up participating in the programme.

According to evaluation participants there were two ways to gain entry to the Pilot. These were through actively recruiting participants and through taking referrals. The main recruitment strategies were drawing on existing networks, contacting local organisations who had access to victims of HSB, or who had access to the Sexual Offenders register; building trust and by word of mouth. Referrals were also received by whānau members, seeking help with a member of their family. Examples of organisations from referrals were also gained. These included a Māori sexual specialist service, the Police and Probation Services. Suggestions for potential marketing and promotion opportunities were also made during interviews. These included running public information sessions in regions, advertising through social media, television, newspapers, cold call introductions, and maybe considering seeking referrals from other government agencies such as Oranga Tamariki and Māori Health Providers.

Personnel recruitment, selection and support

Four different groups of personnel fed in to the overall Project design. These were the Provider (who were also the Programme Facilitators), MSD Project and Contract Managers, the Project Steering Committee and the Proposal Selection Panel.

The Provider / Programme Facilitators were experienced in working with HSB clients. They had worked in the field for many years and had well established networks both in Māori and non-Māori settings. While managing this Pilot, they also continued to be involved in other HSB work. For a variety of reasons, the Provider chose not to employ any other project personnel for the Pilot, and consequently held sole responsibility for all aspects of the contract deliverables themselves, including the programme facilitation.

The Pilot was established by senior MSD officials and subsequently passed on to a Project Manager (Wellington based) and a Contract Manager (Auckland based). These roles were based in different sections of MSD. The Contract Manager worked closely with the Provider in a support and day to day monitoring role. While this should have been a straight forward arrangement, several personnel changes within MSD project management meant that the relationships had to be re-built, each time a staff member left, and a new staff member arrived. This interchange risked losing important anecdotal information, which could have aided Pilot continuity.

A Steering Committee was established by MSD to guide and advise the Project, however the impetus for this Steering Committee dwindled and the group did not meet.

Learnings for the future

A more holistic understanding of Kaupapa Māori in the context of HSB is needed

Since its inception in the early 1990s, Kaupapa Māori has become an "entrenched part of the official discourse appearing in a range of Ministerial documents in Health, Social Welfare, Employment and Education" (Smith & Reid, 2000, p. 6). The term Kaupapa Māori continues to be used to differentiate initiatives that have been Māori designed, centred and led, from those designed and led by non - Māori.

As Māori are highly represented in the statistics associated with Harmful Sexual Behaviour, Kaupapa Māori approaches legitimise a shift away from State managed solutions to Māori managed solutions.

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This shift places "...Māori issues, concerns, ways of understanding and practice at the centre of research enterprise rather than on the fringes."[3]

Those associated with Kaupapa Māori initiatives should understand what Kaupapa Māori means, where it originated from and how it might be applied in the HSB space. A macro view of Kaupapa Māori is required, to stay abreast of the broader factors that impact on Māori, and a micro view focuses on Kaupapa Māori elements and how these can be used to select procurement panels, develop project evaluation frameworks, and evidence Kaupapa Māori practices through programme design.

Learning together became a key goal for the Pilot and adjustments were made to achieve this

A key objective of this pilot was to document the various experiences encountered during the pilot and share these so that others may apply these learnings in the establishment of future Kaupapa Māori HSB Programmes. Learning together was a key goal, and MSD worked closely with the Provider to ensure that opportunities to share experiences of the Pilot were documented. Partnership models between the State and Māori exemplify partnership under Te Tiriti o Waitangi, however Kaupapa Māori differs in that Kaupapa Māori involves Māori being able to autonomously manage their own affairs. There were many examples of Tiriti o Waitangi partnerships shared during this pilot, however there was limited evidence that this Pilot was adequately enabled to be a fully-fledged Kaupapa Māori pilot from procurement through to programme implementation and completion.

Further partnership examples include when the early stages of the Pilot revealed that participant numbers were not at expected service levels, the Pilot scope was amended by MSD to identify why. The evaluation highlighted that the very nature of contract work requires Providers to carefully manage multiple projects and relationships in the HSB space. This is best managed when a team is in put in place to support all aspects of the project both in terms of facilitation and administration.

Alternative partnership models may need to be explored in order to increase Kaupapa Māori capacity within Government organisations. This may be beneficial due to the varied understandings of Kaupapa Māori. Such a model might include establishing a Kaupapa Māori Advisory Group, or something similar, to ensure consistency in applying Kaupapa Māori practices to programme delivery. The ultimate goal should be that Government Departments consider how they can sustain Kaupapa Maori practices internally. Partnerships might occur at both a Government Department level, and at a procured programme level, should this be required.

Establishing an internal Kaupapa Māori Advisory Group was the intention for this pilot, as such a group could have served as both a support mechanism and could also serve in an advisory role in situations where the depth of cultural knowledge and understanding may not be at a sufficient level for all project partners. However, for different reasons this did not eventuate.

Multiple partnerships existed throughout the Pilot especially between the Funder, the Provider, stakeholders, referral agencies, and the evaluator. Partnerships can be extremely beneficial, yet may be equally complex to manage, particularly if they are new or newly established. The most desirable partnerships are collaborative and are therefore mutually beneficial. Kaupapa Māori initiatives require

[3] *Kaupapa Māori evaluation: A collaborative journey*, Carlson, Barnes & McCreanor, 2017, p. 68

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project partners to work extremely hard at building and maintaining positive relationships. Some of the barriers to effective partnerships included fear and concern about not being engaged in a true Kaupapa Māori process, imbalance of power between Māori and the Crown (MSD), and Provider reputational risk should the pilot be deemed unsuccessful.

Better continuity of MSD staff on programs would have been beneficial

The use of public funds comes with high levels of accountability. The two-step procurement process, and the procurement and selection process were managed professionally and with great scrutiny. Where the process did not quite deliver was in managing the turnover of MSD staff. Each time a new member was brought in to the project, this risked a loss of institutional knowledge in relation to the Pilot.

The keeping of essential documentation by MSD was well achieved, but anecdotal meeting notes, risked being lost in the changes between staff. Further issues were identified in association with contract procurement managers and how they were selected to engage with Kaupapa Māori programmes. There is a clear need to develop a Kaupapa Māori skills matrix for all MSD staff members working on Kaupapa Māori initiatives. This should be used when appointing MSD Staff to KMHSB Projects. Careful consideration should also be given to avoid contract variations early on in projects, clarifying matters of intellectual property, and identify all possible risks that may impact upon meeting the required service levels as per the contract for services.

Kaupapa Māori recommendations

We provide the following specific Kaupapa Māori recommendations for consideration. That:

1. A framework for Kaupapa Māori Procurement and Programme design be developed.
2. Māori with the right skill set should lead Kaupapa Māori initiatives. This could best be achieved by ensuring that Māori personnel are appointed in strategic roles at all levels of key decision making.
3. Significant weighting is allocated in the proposal evaluation process to Kaupapa Māori experience.
4. An agreed definition and framework for Kaupapa Māori design be developed. (The evaluation team have provided a framework for consideration when demonstrating Kaupapa Māori programme design principles).
5. Kaupapa Māori programmes should clearly demonstrate Kaupapa Māori outcomes.
6. There is a Kaupapa Māori evaluation Provider appointed if there is any future evaluation of Kaupapa Māori programmes, services or Pilots. (This was most important for the Provider).
7. That KMHSB should also be considered for rangatahi (youth).

Conclusion

Working within a Kaupapa Māori paradigm is vital to achieve the agreed and desired outcomes for Māori, especially in this most sensitive area of harmful sexual behaviour. In Kaupapa Māori projects, the values and characteristics of what Kaupapa Māori entails needs to be fully embedded across the system from inception, design, planning, procurement, programme delivery, reporting and project team relationships. Kaupapa Māori practice, while implied, was not consistently enacted by all. There has been a long period of Tiriti o Waitangi Partnership models, and the age of procuring Kaupapa Māori initiatives signals the need for a refresh of Government procurement models and processes.

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1. The Pilot in context

The Ministry of Social Development (MSD) commissioned Sapere, in partnership with Māori and Pasifika Support Services (MAPSS), to undertake an independent evaluation of the 2017 – 2019 Kaupapa Māori Harmful Sexual Behaviour Pilot (the Pilot). The Pilot was funded by MSD and was designed and delivered by Korowai Tumanako (the Provider), an Auckland and Northland based Kaupapa Māori HSB Provider. Korowai Tumanako is an affiliated member of Te Ohaakii a Hine – National Network Ending Sexual Violence Together (TOAH-NNEST), the national network of those providing specialist services for sexual violence prevention and intervention. They are also represented on various other national groups and advisory committees.

The Kaupapa Māori Harmful Sexual Behaviour Guidelines[4] describes HSB as follows:

> "Within the Western and legal context, harmful sexual behaviour (HSB) or sexually abusive behaviour is a descriptor for a number of sexual behaviours that involve elements of force, coercion and/or power by one person over another for the purpose of sexual gratification and control. These behaviours can include both contact and non-contact behaviour committed against adults and children and encompass sexual violence, sexual harm and child sexual abuse."[5]

A further description as provided in the same guidelines shares that when considering HSB in terms of the infringement of Māori cultural values, then HSB involves the "trampling of a person's mana or personal power and identity by others' sexual comments or behaviours". This definition is grounded in the whanaungatanga (Māori value of relationships), which considers a Māori view as important and sacred.[6]

In addition to forming the basis of the Pilot design, a Kaupapa Māori approach was used to explain the cultural breaches caused by HSB. For example, HSB involves:

> "…Transgressions of mana and tapu, particularly in respect to the status and sacredness of the whare tangata."

As explained by Hamilton-Katene, S, 2009, in the *National stocktake of Kaupapa and tikanga Māori services in crises, intervention, long term recovery and care for sexual violence*:

> "Aronga Māori [a Māori perspective] holds that each person is imbued with mana and sexual violence impacts on the mana of the whānau member who has been violated as well as their whānau."

For the purpose of this evaluation, KMHSB has been considered within the context of violence within whānau. Violence within whānau has a broader meaning than family or sexual violence and has been

[4] Ministry of Social Development, Community Investment. *Harmful Sexual Behaviour services for non-mandated adults Kaupapa Māori Pilot Guidelines.* Draft. May 2017

[5] ibid

[6] Hippolite Wright, D, 2002, *Pacific Islander Modes for Dealing with Sexual Abuse*

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defined as "the compromise of te ao Māori values and can be understood as an absence or disturbance of tikanga and transgressions against whakapapa."[7]

1.1 The purpose of the Ministry of Social Development is to support New Zealanders

As MSD is the Funder for this Pilot it is important to understand their purpose. MSD is a public service department of New Zealand charged with helping New Zealanders to be safe, strong and independent. MSD's Statement of Intent for 2018 – 2022[8] shares the following foci. New Zealanders:

- get the support they require
- are resilient and live in inclusive and supportive communities
- participate positively in society and reach their full potential.

Further, the MSD *Statement of Intent 2018 – 2022* speaks of the new strategic direction Te Pae Tawhiti – Our Future, which shares MSD's aspiration to become a trusted and proactive organisation, connecting clients to all the support and services that are right for them, to improve the social and economic wellbeing of New Zealanders.

To achieve this aim MSD are focusing on three key shifts:

- **Mana manaaki**: A positive experience every time
- **Kotahitanga**: Partnering for greater impact
- **Kia takatū tatou**: Supporting long-term social and economic development.

1.2 The Pilot was designed to develop a community-based KMHSB service within an indigenous framework

The original scope of the Pilot was to develop a community-based HSB service within an indigenous framework, to address the gaps in community programmes of this type to help people who needed it. The description of the service is:

> "Pilot for Kaupapa Māori harmful sexual behaviour services. This Pilot is for community-based services, for adults and their whānau, where attendance is not required by the court. This Pilot seeks to support further development of whānau violence prevention and intervention programmes and the application of indigenous frameworks." (Ref: Appendix 121, Novation and Contract)

A variation letter was sent to the Provider in December 2018, after the Provider notified MSD of a change of their entity name. As a result, a Novation and Variation Agreement (a contract variation) was offered.

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[7] Kruger et al, 2004, *Transforming whānau violence: An updated version of the report from the former Second Māori Taskforce on Whānau Violence* (2nd edition); Te Puni Kōkiri, 2010, *Rangahau Tukino: Māori Research Agenda on Family Violence*

[8] https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/corporate/statement-of-intent/index.html

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The start date was to be back dated to 1 November 2017. The Provider signed this variation on 23 January 2019. The variation included the notification of a required number of participants as per the original contract (i.e. minimum of five by 1 October 2018 and a minimum of seven by 1 December 2018).

The Pilot reported quarterly to MSD by way of milestone reporting, which later included the establishment of additional monthly hui. The evaluators were invited to, and attended, some of these hui. Payment amounts to the Provider were paid in a mix of reimbursements due to deliverables completed in advance of contract variation signing, also in arrears, based on completed deliverables. The budget for the evaluation was in addition to the Pilot budget.

1.3 Rationale for the Pilot was to ensure reduce harmful sexual behaviour by increasing the availability of culturally effective services

The MSD wanted to pilot a KMHSB service as part of its investment into specialist sexual violence services. Ensuring the availability of culturally effective sexual violence services was a key priority of this programme."[9],[10].

MSD announced[11] in April 2017 that during a consultation workshop with harmful sexual behaviour service Providers, a gap was identified in the provision of specific KMHSB services for non-mandated adults. To help address this gap, the Ministry ran a two-stage open and contestable procurement process for delivery of a KMHSB Pilot for non–mandated adults. The tender was released on 18 July 2017 on the Government Electronic Tenders Service (GETS) and closed on 28 August 2017. The Pilot was to begin in November 2017 and conclude in June 2019. Funds for a KMHSB pilot came from funds already tagged for mainstream HSB services, and some interviewees believed that this meant that the Pilot also came with mainstream requirements, e.g. reporting structures, that might not have been appropriate for a KMHSB pilot.

Consequently, a dedicated team within the MSD started planning for the development of the Pilot. The Pilot was intended to work holistically with non-mandated Māori adults who had exhibited or are at risk of exhibiting HSB and their whānau support networks to help prevent sexual harm, increase safety, and restore and enhance the mana of whānau and communities. MSD wanted to pilot this service because it recognised that effective responses to sexual violence for Māori should be informed by Māori and address the complex range of factors that contribute to the overrepresentation of Māori in sexual violence statistics."[12]

The Pilot was designed and initiated because MSD wished to specifically reduce harm in whānau Māori and in communities with large Māori populations. MSD were committed to doing this by securing

[9] Ministry of Social Development, Community Investment. *Harmful Sexual Behaviour services for non-mandated adults Kaupapa Māori Pilot Guidelines.* Draft. May 2017.

[10] Social Services Committee Report, *Inquiry onto the funding of specialist sexual violence social services*. December 2015.

[11] https://www.msd.govt.nz/webadmin/html/enews/svsdu-april.html

[12] Ministry of Social Development. *Kaupapa Māori Harmful Sexual Behaviour Pilot – Request for Proposals.* Released 18 July 2017, closing date 28 August 2017.

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dedicated funds for the Pilot and consequently implemented a parallel external evaluation.[13] Both the Provider and MSD are committed to reducing sexual harm in a therapeutic manner. The Pilot and this evaluation will contribute to the evidence base in relation to whānau-violence and sexual violence prevention and associated intervention programmes, as MSD look to the future development of an integrated service model for HSB. Evaluation findings will gain formative learnings to aid any future procurement for the delivery of KMHSB services.

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[13] Ministry of Social Development Procurement Plan. Kaupapa Māori Harmful Sexual Behaviour Pilot. Procurement Board number 17.59.01. 29 June 2017.

2. Evaluation scope and evaluation plan was revised to reflect the Pilot realities

As part of the planning for the Pilot, MSD included mandate and scope for a Kaupapa Māori evaluation to be undertaken across the period of the Pilot. Sapere, a mainstream consulting research firm, in partnership with Māori and Pasifika Support Services (MAPSS), were engaged by MSD to undertake a process and formative evaluation of the Pilot. Importantly, this was to consider key learnings from this pilot for future KMHSB services. The Pilot was to be evaluated, and originally the intention was for the evaluation findings to feed in to the Budget 19 process. However due to the delays and long lead in times in the programme gaining traction, the evaluation was delayed, and scope changed to a Process Evaluation, making any significant contribution to the Budget 19 process unfeasible.

The purpose of the evaluation was stated in the signed All of Government Consultancy Order (the contract) between MSD and Sapere. The evaluation was to:

- provide an independent assessment of the effectiveness and efficiency of the Pilot
- assess the extent to which the Pilot had achieved its intended outcomes
- garner lessons learned around the commissioning of outcomes focused service for Māori
- develop recommendations for the potential future expansion or roll out of similar approaches elsewhere in New Zealand.[14]

2.1 The Evaluation scope changed during the Pilot

The original intention was for the evaluation to be both formative and summative (i.e.: process and outcome) and to include self-reported outcomes from interviews with participants of the Pilot service. Originally, the Pilot was to begin on 1 November 2017 and conclude on 30 June 2019. The tender was an open one and started on 18 June 2017 and closed on 28 August 2017. The evaluation however, was to begin on or about September 2017 with a final summative evaluation report to be provided in June 2019.

An evaluation plan was developed by the evaluators and agreed with MSD and the Provider. However, the evaluation scope was changed in late 2018 to reflect the activity of the Pilot. Internal MSD memos were highlighting early from September 2018 that the small referral volumes to the Provider by default, would lead to an inconclusive outcome evaluation report. The revised evaluation scope focused on Phase One of the Evaluation Plan, the Mōhio phase. This phase required an examination of processes with regards to the commissioning of KMHSB Pilot, project design and recruitment. As a result, the key process findings were to focus on the MSD processes and commissioning as opposed to the Provider referral and connection processes, programme delivery and participant outcomes.

[14] All of Government Consultancy order between MSAD and Sapere. 18 September 2017. Page 4.

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It was later proposed by Sapere in September 2018 that a potential additional evaluation change might be that Sapere could also include other Providers of HSB to highlight what they might be doing to provide culturally responsive services to clients.[15] MSD responded that this was not in scope at the time.

2.2 A Kaupapa Māori evaluation plan was developed

A full evaluation plan was developed and shared with MSD and the Provider at an initial meeting in late 2017. This was not finalised at this point due to feedback during the meeting from the Provider. As a result, a revised approach was proposed, and changes were made to the draft evaluation plan. These were shared with the Provider and with MSD with feedback incorporated. The final outcome resulted in a blended logic model within a Kaupapa Māori framework. The Provider requested that the final product was more consistent with what a Kaupapa Māori evaluation could involve. The final evaluation plan included:

- a logic model evaluation framework
- Process evaluation questions
- MSD, Provider, client, whānau and referrer information sheets and consent forms
- interview questions
- indicative kaimahi (staff) surveys
- Kaupapa Māori evaluation questions (added later).

While there was agreement on the evaluation plan, as noted there were differing perspectives and understandings of what Kaupapa Māori entailed, particularly in terms of programme design, delivery and evaluation. Throughout the period of the evaluation, it was observed that the term Kaupapa Māori was used rather fluidly, often being adapted to suit or fit the context within which it was being considered. These differences were noted during interviews, project meetings and observed in project documentation.

2.3 Key evaluation questions included how the Pilot benefits Māori participants and whānau, and whether the model is sustainable

2.3.1 Original evaluation questions

For full information we include below the original evaluation questions, which were then changed for the process evaluation. At the highest level the original key evaluation questions in the Consultancy Order Contract were originally as follows:

- how is the Pilot identifying the needs of clients and their whānau?
- what is the model of intervention?
- how efficient and sustainable is the model of service delivery?
- how is the Pilot being managed and governed (including reporting)?

[15] MSD memo from G Mckenzie to M Edwards, 12 September 2018.

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- what's working well, and not so well, and why?

Additional summative evaluation questions that became no longer appropriate are listed below, once again for future reference and fullness of information:

- how well has the Pilot met the needs of clients and their supporting whānau?
- how effective has the Pilot been in reducing risk factors and increasing safety?
- what has been the impact of the Pilot on Clients and their supporting whānau?
- what have been the lessons learned for delivering outcomes focussed services for Māori?
  - how transferable is this model of service delivery?
  - should this approach be rolled out elsewhere? If so, should changes be made to the way services are commissioned, developed or delivered?

2.3.2 Revised key evaluation questions

The evaluation questions were changed to the following, when the evaluation focus changed, as detailed in the revised and updated Sapere Evaluation Plan, to the following:

- **Contract proposal / Comissioning process**

o Are there any recommendations that could be made about the process for commissioning outcome focused services for Kaupapa Māori?

- **Contract Negotiation process**

o Did you encounter any legislative, contractual or systemic barriers in order to fulfil contractual requirements?

- **Contract implementation**

o Where there any internal (within your own organization) barriers or enablers you encountered in order to fulfil contractual requirements?

o Where there any client / referral barriers or specific enablers you encountered in order to fulfil contractual requirements?

o Did this have any impact did this have on your deliverables?

- **Personnel and Recruitment**

o Did you recruit any specific staff for this pilot (as indicated in your RFP)? If so describe the process? If not, why not? (any barriers to this, etc?)

o How have people been recruited into your workforce? For instance, what is the process, and selection criteria?

o How might a team to work on a Kaupapa Māori HSB Programme be best recruited? What might a recommended process be and what selection criteria should be considered?

o Was the process for the participant recruitment for this programme? Was it effective and if so why, or why not? What changes would you recommend for the future?

o What skills, attributes and qualities would the most effective practitioners possess to work in the field of Kaupapa Māori HSB?

- **Anything else**

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- Is there anything else you think we should know for the evaluation to help develop or improve KMHSB services for the future?

2.3.3 Specific Kaupapa Māori evaluation questions were added

As the Pilot progressed and as the focus on evaluating outcomes was removed, an opportunity presented itself, to delve more in to what establishing a Kaupapa Māori Pilot required. It became clearly evident that the original outcome evaluation questions were not sufficient to get to the heart of what establishing a Kaupapa Māori pilot embodied. Consequently, specific Kaupapa Māori evaluation questions were developed, and served more as a Kaupapa Māori audit framework for procuring Kaupapa Māori initiatives.

The Kaupapa Māori audit framework included the following elements:

- assert Māori language and cultural values (Te Reo me Nga Tikanga Māori)
- are driven by tikanga Māori, (including cultural protocols, values, practices and views of the world) (Nga mahi a kui ma, a koro ma)
- advance the well-being of the Māori collective, including the individuals within that collective (Hei painga mo te iwi)
- develop knowledge that validates a Māori world view; (Matauranga Māori)
- are Māori led (He Māori te whakahaere)
- are Māori controlled (Tino rangatiratanga)
- allow and encourage Māori participants to 'be' Māori (Te Ahurea Māori)
- are open to diverse models of application in practice (Whakaemi i ngā tini huarahi)
- use the above elements in the design of self-review and evaluation (Te Arotake)

Kaupapa Māori process evaluation derived from this framework included the following questions:

- to what extent did MSD and applicants engage Kaupapa Māori elements in the various stages of the proposal, selection, procurement, and program design?
- how were MSD staff identified and selected to work alongside the Pilot Program?
- what cultural expectations if any, were placed on the staff member/s by MSD, to engage with the Pilot?
- to what extent was the applicant required to demonstrate evidence of their ability to develop participant knowledge through the Pilot, that validates a Māori world view?
- in what way did the Pilot Program propose that staff and participants would be recruited and subsequently enabled to engage 'as Māori'; in a way that encouraged and supported them to 'be' Māori?
- how has Kaupapa Māori framework been utilized in reporting, self-review and evaluation?
- were any Kaupapa Māori elements applied or considered at challenging points of the procurement process? If yes, how?

2.4 Qualitative approach and analysis used

The evaluation methods took a Kaupapa Māori approach, particularly in terms of providing opportunities during the evaluation process to assert Māori language and cultural values, observe and respect tikanga Māori. This demonstrated a deep appreciation for how such initiatives can advance the

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well-being of the Māori collective, including the individuals within that collective, developing new knowledge through joint learning that validates a Māori world view, and by encouraging interviewees to engage in an authentically Māori way, with the evaluation process.

We used a qualitative interview and document review approach to ask and answer the evaluation questions. We synthesised and triangulated responses to identify key findings. Unfortunately, the volume of interviews with stakeholders external to MSD, were too small to draw any robust conclusions.

MAPSS focused on Provider and stakeholder engagement, and Sapere focussed more on project management and MSD engagement. Findings were synthesised. There were overlaps throughout which were worked through jointly.

The key activities we undertook included:

- the development of the evaluation plan
- desktop document review from MSD documents (we sought documents from the Provider but received none)
- hui with MSD
- joint hui with MSD and the Provider
- qualitative in-depth interviews with 12 stakeholders, internal and external to MSD
- a document review of MSD documents
- analysis and synthesis of input and development of findings; and
- report writing and presentation to MSD and the Provider.

Stakeholders were interviewed by phone or kanohi ki te kanohi (face to face), depending on scheduling, availability and need for anonymity.

The following graphic depicts the framework we used to guide the evaluation. As mentioned earlier, two evaluative tasks were added in Phase 1, the Mōhio phase of the Pilot. These additions are Provider selection process, and Contract Procurement.

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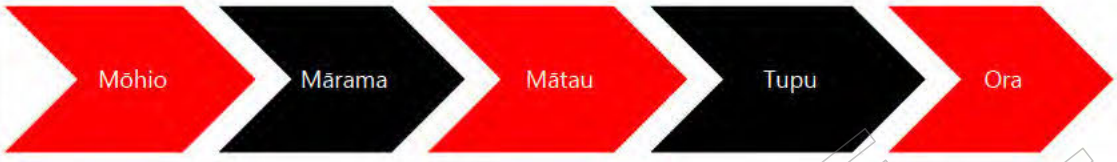
Figure 1Evaluation framework from the Evaluation Plan

Nga Whainga	Reduce recidivism and sexual harm		Enhanced Whānau and community safety and mauri ora		Sustainable Kaupapa Māori HSB services
Poutama Arotake					
Activities and outputs	Contract proposal process Provider selection process Contract Negotiaion process Contract procurement Programme marketing and promotion Personnel recruitment selection and support	Triage and assessment of referrals	Indvidual, group and Whānau therapies and whananga / noho marae based on Te Aronga Māori Recruitment and professional supervision, on-the-job traiing and peer support for kaimahi	Monitoring and reflective practice	Improved well being of participants and their Whānau On going growth, development and prosperity of Provider
Takepu					
Inputs	**Funding for 20 months for the Kaupapa Māori HSB Pilot service for non-mandated adult clients and their Whānau**				
Problems being addressed	Legacy of colonisation	Erosion of mana and disturbance of tikanga	Lack of specialist Kaupapa Māori specialist HSB Services	Shortage of Māori HSB Kaimahi	Over-representation of Māori in sexual abuse statistics

Source: Sapere Kaupapa Māori evaluation plan

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2.5 Central to the evaluation were robust ethics and informed consent processes

As with all our evaluations, we use a dedicated robust and detailed ethics and consent process, especially when interviewing individuals who may be in difficult or vulnerable situations. Examples of vulnerable peoples could be patients with cancer, people with a brain injury and in this evaluation, people who may be perpetrators of harmful sexual behaviour, and / or their whānau. Such an ethics process does not intend to disrespect nor negate the ethics processes of a Provider of services or programmes, e.g. a hospital, or community Provider, or this Provider, who we came to realise had a different and unknown ethics process to the evaluators. What became clear during this evaluation was that evaluation ethics and consent process ethics must be run in parallel and that all parties needed to negotiate a shared ethics process. What would have helped is if both the Provider and the evaluator discussed their varied ethical processes, as there was a point during the evaluation where these ethical procedures were not clearly understood by each other, mainly because they had not been shared at the beginning. This was a learning.

Individuals of Sapere are members of the Australian Evaluation Association and adhere to strict ethical standards when conducting research and evaluation. The MAPSS Evaluator had experience in New Zealand Kaupapa Māori academic evaluation and research. As there was no agreed or specific Kaupapa Māori HSB evaluation ethics process, we used a combination of ethical processes and literature to find the best fit for this particular evaluation. These included:

- the Te Ara Tika Guidelines for Māori research ethics: A framework for researchers and ethics committee members. Health research Council of New Zealand, (undated)[16]
- the Australian Evaluation Society
- Social Policy Evaluation Principles and Practices[17]
- ANZEA (Aotearoa New Zealand Evaluation Association)
- Social Policy Evaluation and Research Committee
- an adapted University of Auckland Ethics Process
- in-depth information and consent scripts so that people know participation was voluntary and would remain anonymous to Sapere (looking for themes not individual perspectives).
- a three-stage consent process: Firstly, when the participant is approached to explain the evaluation and to see if they wish to participate and have their contact details passed to Sapere. Secondly, when we contact them to see if they still wish to participate, and if so, to schedule a time. And lastly, at the actual interview a reconfirmation of consent. It is always clear that deciding whether to participate will not affect their services or supports in any way. It is also made clear that that they can choose to withdraw at any time without having to give a reason as to why
- ethical considerations, including privacy measures.

16 http://www.hrc.govt.nz/sites/default/files/Te%20Ara%20Tika%20Guidelines%20for%20Māori%20Research%20Ethics.pdf

17 superu.govt.nz/standards

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Finally, Sapere has a full Disclosure Policy. This is a policy that details what we do if a risky situation of harm or other significant issue is disclosed during an interview. We would halt the interview and talk about our responsibility to escalate the disclosure to the right person (examples might be of serious risk of self-harm, harm to others, and other significant adverse risks, etc.).

It is also worth noting, that there may be times in KMHSB Programmes where participants do not want to be identified but do wish to participant in the evaluation. A clear process for navigating this confidentiality was developed.

2.6 Flexibility in timelines was required

As per the Evaluation Plan, findings were gathered through observation and analysis of meeting discussions, interviews and desktop reviews of documents and data sent to Sapere by MSD. The documents received were in response to a document request by Sapere and related to the internal MSD design and establishment of the Pilot and internal decision memos. This was all well documented and easy to follow. Unfortunately, document requests made to the Provider were not responded to, as we would have liked the balance of comments for comparative purposes and to show the full story. We interviewed the key MSD staff who had been involved in various stages of the design, procurement and implementation of the Pilot, as well as the Provider, Participant and a Whānau Member / Referrer. The following graphic depicts key activity by each stakeholder group. It is important to consider the timeframes to further understand how the roles or each organisation worked and interacted together.

Figure 2 Timeline of Pilot Establishment, Implementation and Evaluation

Source: Sapere analysis

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We note the delayed timeframes and change of both MSD personnel and two Sapere team members. However, the evaluation team member who remained was the Kaupapa Māori Evaluator and another Sapere member undertook the project management work and MSD interviews.

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3. Key findings from the process evaluation

Following the synthesis and triangulation of evaluation findings the following key findings were illuminated. They have been reported under the six evaluation activities, for Phase 1 of the Pilot, i.e. the Mōhio phase.

3.1 Contract proposal process

The contract proposal process included Providers responding to an open (contestable) tender on GETS. However, although already noted in this report, what we observed in the evaluation is a key limitation of how the process was established didn't include a common or clear understanding of what Kaupapa Māori is, even though the draft MSD Guidelines were in place.

3.1.1 There were differing understandings of what Kaupapa Māori entailed

Despite the high number of Māori engaged in HSB, there were no targeted funds to address this need in a Kaupapa Māori way. While there was agreement to fund a Kaupapa Māori HSB project, there were times where there were differing understandings of what Kaupapa Māori entailed and what Kaupapa Māori might look like in practice. This caused misunderstandings between the different groups associated with the Pilot, which at times resulted in a mismatch, which caused tension between the Provider being required to deliver in a Kaupapa Māori way and MSD measuring the Provider and Programme effectiveness in a Western-centric measurement model. One example of this is being asked to deliver a Kaupapa Māori HSB Pilot, yet no Kaupapa Report tools were devised. Some interviewees felt that if projects were to be targeted as Kaupapa Māori initiatives, then this should be reflected in all aspects of the project design, (i.e.: from idea inception through to delivery and completion). A primary and important finding is that there was no common agreement about what Kaupapa Māori meant in relation to this Pilot, therefore there was no systematic inclusion of a Kaupapa Māori approaches in the various phases of the pilot, which we have described as Mōhio, Mārama, Mātau, Tupu and Ora.

3.1.2 Shared understandings of important concepts and definitions were not included in key outward facing documentation

We noted during the evaluation that there were varying interpretations of definitions that may have caused some misunderstandings as the Pilot progressed. Preplanning of the RFP process should have been to include key definitions at crucial stages of the procurement process, in order to consolidate common understandings. This would have helped to ensure expectations stayed within the scope of the Pilot and were managed accordingly.

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3.2 Provider selection process

3.2.1 MSD funding approved with a two-step open procurement process

The existing two step procurement process involved an open advertisement followed by:

1: Written proposals

2: Presentations of short-listed Providers

The competitive open process received six responses, with a mix of Māori and non-Māori Providers. The weightings for the evaluation included seven sections, as per Table 1:

Table 1 Criteria and weightings for the procurement evaluation process

Criteria	Weighting
About the organisation	5%
Implementation (plan)	10%
Evidence of service demand	10%
Service delivery	30%
Kaupapa Māori approach	35%
Operational effectiveness	10%
Budget	Not weighted

Source: MSD Procurement plan, June 2017

3.2.2 A high calibre selection panel evaluated proposals

The procurement evaluation team was established and approved internally to MSD and include both internal and external MSD members with a mix of Māori and non-Māori members.

The MSD Procurement Plan[18] noted that the selection panel for the procurement of a Kaupapa Māori Harmful Sexual Behaviour Service should include:

[18] Ministry of Social Development. Procurement Plan. Procurement Board Number 17.59.01. 29 June 2017.

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- a cross functional team with backgrounds in Kaupapa Māori research, HSB services, sexual violence prevention and service design
- six voting members, with a minimum quorum of three
- the evaluation team to be supported by the research and evaluation supplier (observation process)
- an impartial Panel Chair was selected for facilitation and to manage the decision-making process.

We noted the evaluation team members' names and organisations, their voting or non-voting roles and observed that there were members from Oranga Tamariki, MSD, Te Puni Kōkiri, and an external to MSD clinical psychologist (working in the field of HSB). In summary, the non-voting members numbered four and there were secretariat and probity members. Voting members numbered six and were made up of subject matter experts and cultural representatives.

3.3 Contract procurement

3.3.1 Commissioning of the Provider and the service was an open process but through a Western centric procurement model

The MSD was seeking to develop a Kaupapa Māori pilot program, yet it appeared that the planning and commissioning process, including contracting and reporting processes that were based on a Western hierarchical paradigm through typical MSD channels and via the Government Electronic Tender Programme (GETS). It was a two stage open tender process.

MSD had intended, through the Pilot to reduce the impacts of HSB for Māori by those who were not mandated by a legal agency to attend a Program. They saw this as a gap in the system that needed addressing. This was identified as a gap during a consultation sector meeting, and funds were transferred from the pool of HSB funds for the purposes of a targeted Kaupapa Māori HSB Pilot. While the funds were transferred, the management of the funds was not realigned initially under Māori managers. Further it was reported that removing funds from a funding pool already allocated to HSB Providers ran the risk of causing tension with a Kaupapa Māori Provider, as it could be perceived that funds that were already tagged and relied upon by other Providers, were being taken for another purpose.

The idea and funding were sought via internal memo's at senior levels and funding of $217,832 was released from the mainstream HSB budget in MSD to establish a KMHSB Pilot. A more Kaupapa Māori centred approach for government funded projects might reflect the elements identified in section 2.2.3, in all phases of project design and implementation.

Further examples shared by Māori Program Facilitators working on non-HSB programs revealed that they had experienced situations where they were not taken seriously when submitting funding applications as they did not hold relevant tertiary qualifications, despite being Qualified By Experience (QBE). Their way around this was to partner with those qualified through tertiary institutions, so that they could be paid for the work that they did with at risk groups. These interviewees did not mind this approach, as it fitted well with the way that they wanted to work, and also removed the stress of having to manage contracts and reporting. These interviewees also shared that these partnership models were

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often Māori – Pākeha partnerships, and they worked best when the project sponsor understood the facilitation team, their cause or calling, and understood their culture. This way of working reflected Tiriti partnership, but was not considered to be Kaupapa Māori, as it was not autonomously Māori led.

The same interviewees also shared that being Māori was sometimes a barrier to getting contracts.

3.3.2 Contracting funding levels were not negotiable

The pilot was for $217,832 (plus GST) over the 18 months (averages to circa $12,000 a month). There is a difference of opinion over what the total contract value included as components in the pricing. It is understood by the evaluators that all costs for the planning, delivery and overheads of the pilot, including staffing and all resources (tools) required delivering a Kaupapa Māori programme were included in the total price. This also included an agreed total volume of participants. The Provider has a varying view and does not believe all associated costs were included, such as adequate cover for staff costs. However, we noted in the Provider's RFP response a commitment to employ more staff. We also note that a Crown agency when providing funding typically does include all overhead, programme and staff costs in the price paid.

This is another example of varying understandings at the beginning of the Pilot that then could have shaped what ensued and especially relationships.

3.4 Contract negotiation process

3.4.1 Project documentation gaps may have emerged due to staff changes

Due to changes in personnel, it has been difficult to draw a consensus about timelines and related pilot activity during the initial contract negotiation phase of the Pilot. It appears events were viewed differently by the Provider and the Funder. There were delays in signing the contract, and it appears that each party felt there were different reasons for this. An example of this is where the Provider felt that there was no opportunity to negotiate the funds that were required to run the most successful Pilot, however they proceeded to sign the contract, and committed to do the best with the funds that they had been provided.

3.5 Programme marketing and promotion

The Provider's contractual reports to MSD identified the networks that they were developing and who they were working with. These included several local social service agencies, including Tu Wahine, a specialist sexual violence service, the Police, and the Ministry of Justice (Probation). Referrals were also received by whānau members, seeking help with a member of their family. Building these networks was vital to gain trust before open conversations about HSB could occur and before self or other identification of potential participants could begin. This approach required a long lead in time.

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We saw little evidence of other more formal marketing and promotion, other than one flyer that was developed early in the Pilot. However, it was reported that there were newsletters and other marketing activity.

3.5.1 There were challenges with recruiting non-mandated participants

There were various reports from interviews and documents reviewed that due to this Kaupapa Māori Service being for non-mandated adults who have exhibited harmful sexual behaviour, referrals may not come to fruition as people may choose not to participate in a therapeutic Program. It was also noted that there may be challenges from whānau or iwi about how the process works, resulting in some hesitancy to engage.

The Provider indicated that due to the sensitive nature of the topic, but more importantly the role of the wider whānau and community in Kaupapa Māori work, this type of work has long lead in times as people are often hesitant to step forward for fear of embarrassment and / or conviction. In addition, at times when HSB is raised, there may be deeper issues and challenges also playing out for the whānau. These issues need to be considered in a holistic sense for therapeutic healing to occur. This, in turn, took a longer period than MSD first expected.

Despite the relationships and marketing efforts made by the Provider, the number of Program participants remained very low, less than 10 over 18 months.

The Provider had significant difficulty in recruiting non-mandated participants. We identified various reasons for this from interviews. These included:

- existing Providers servicing non-mandated and mandated HSB adults
- being undermined by other Providers to potential clients
- the long lead in time to build trusted relationships in relevant communities
- not having adequate resource to hire in staff to engage in effective recruitment
- the complex interfaces with whānau, hapu and iwi when talking about such sensitive issues as HSB and related mana challenges
- juggling HSB caseloads, gained prior to the KMHSB Pilot contract.

As there was only one Pilot Provider it was not possible to measure against a counterfactual. This might have been useful in determining whether different parts of the country and/or different Provider approaches influenced approaches and outcomes.

3.6 Personnel recruitment selection and support

3.6.1 The Programme Facilitators were experienced in working with Kaupapa Māori HSB clients

Two experienced Kaupapa Māori HSB Facilitators led the programme and ran all aspects of the Pilot, while maintaining their existing contracts, with no further support. Although indicated in the RFP response, no additional staff were recruited for the Pilot by the Provider. They had built a reputation of

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credibility and experience in the Kaupapa Māori Harmful Sexual Behaviour space. This was evidenced in past work experience, their affiliation with Te Ohaakii a Hine – National Network Ending Sexual Violence Together (TOAH-NNEST), the national network of those providing specialist services for sexual violence prevention and intervention, and in the recent appointment of one of the facilitation team members to Te Rōpū, a newly established (2019) Kaupapa Māori Advisory group for HSB.

3.6.2 A complex relationship model affected the Pilot's progress

There were three Wellington based MSD relationship managers over the duration of the Pilot, and two Auckland based contract Managers, who sat within Oranga Tamariki. This was a relatively complex relationship model.

For a Kaupapa Māori pilot, relationships are important. It is unclear why non-Māori Project managers were appointed to this Pilot. The ideal would be to have Māori relationship and contract managers that are, where possible, constant, and the understanding of what implementing Kaupapa Māori approaches from the inception and design phase through to completion might involve. Consistency allows for ongoing relationship building and open accountability conversations.

While the Provider and MSD attempted to engage in the most meaningful way, from both sides, and with the best intent for outcomes for Māori, it can be said that the Pilot was not established to operate fully in a Kaupapa Māori way, as at times this conflicted with internal systems and MSD traditional hierarchy. There were times during the process where concerns were raised about:

- the lack of evident Kaupapa Māori process
- imbalance of power with MSD (which is always going to be the situation with a Crown Funder)
- the fact they hold other contracts with MSD and what would be the implication if this Pilot is seen as "unsuccessful"
- a "no blame" approach was confirmed for the evaluation between MSD and the Provider.

3.6.3 Personnel changes also impacted on delays

Once it was obvious that referrals and engagement of participants was slower than expected, MSD internally considered various options for managing the contract with the Provider. MSD offered the Provider to work in Te Tai Tokerau, where they were already providing services. However, the Provider declined this option, citing funding constraints.

In September 2018 there was agreement in MSD that a revised payment schedule to the Provider be proposed to them with new service deliverables and milestones. This included regular contacts, bi monthly meetings and a minimum of five clients engaged by October 2018 and minimum of seven participants engaged by 1 December 2018.[19]

[19] Memo from G Mckenzie to M Edwards, 12 September 2018.

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3.6.4 A Māori led Steering Committee was originally established, but never met

An internal MSD Steering Committee to guide and support the Pilot was established, however this committee did not meet as was intended due to delays in the Pilot gaining forward momentum.

Other relationships of note refer to the importance of building and fostering strong relationships, more generically between a Crown purchasing agency who hold the funds and any Kāupapa Māori Providers.

From documents and interviews we can see that the intent was that,

> "...the KMHSB Provider would be supported by a Steering Committee and at a service level be supported by a multi-disciplinary team comprising of an external clinical supervisor, external cultural supervisor, representatives from key referral partners and contract manager(s) from MSD."[20]

The paper noted the intent was for the Steering Committee to meet bi-annually to review the progress of the service and provide support and advice. However, as the service did not progress as expected, within the anticipated time frames, neither in explicit activity nor volumes, the Steering Committee never actually met.

In hindsight, we believe that it might have been prudent to ensure the terms of reference for the group included being part of the procurement process, working alongside the Provider since the Pilot was also about joint learning, yet this was request was added later. To undertake this truly joint model, could have supported the Kaupapa Māori underpinnings of the Pilot in a more strategic way.

3.7 Summary of Kaupapa Māori findings

Core to this process evaluation was Kaupapa Māori approach and considerations of what occurred or could have been done differently. Learnings for the future are very important and the following Kaupapa Māori evaluation findings provide scope for further learning.

To what extent did MSD and applicants engage Kaupapa Māori elements in the various stages of the procurement process and Program design?

There is limited evidence to suggest that Kaupapa Māori elements were engaged, utilised or even considered in the various stages of the procurement process. Evaluation data tells us that the procurement process was largely based within a Western paradigm. It was ultimately led by non-Māori, and therefore cannot be considered Kaupapa Māori by process and design. We are unable to comment on Programme design, as this fell beyond the revised evaluation scope.

[20] MSD report to Hon Anne Tolley, 19 September 2017.

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How were MSD staff identified to work alongside the Pilot Program?

It appears that MSD staff identified to work alongside the Pilot Program, were chosen because they had experience in the HSB field, they had experience in contract management, and they had an empathy toward and with Māori. Having said this, it was 12 months between the first Wellington based Relationship Manager and the arrival of the second. A Pākehā contract Manager was appointed in between. In October 2018, the second Wellington based Māori Relationship Manager was assigned to the Project. What this highlighted is that traditional MSD processes were used to allocate staff to the Pilot.

What cultural expectations if any, were placed on the staff member/s by MSD, to engage with the Pilot?

There does not appear to be any documented cultural expectation being placed on staff members by MSD, in order to engage with the Pilot. However, the staff who were appointed, appeared to have been appointed firstly with regards to their skills and experience in project and contract management, and the cultural regard was secondary.

To what extent was the applicant required to demonstrate evidence of their ability to develop participant knowledge through the Pilot, that validates a Māori world view?

The two-step procurement process required applicants to demonstrate competencies in a number of areas. This included demonstrating experience of providing services which embed a Kaupapa Māori approach. Significant weighting of 35% was allocated to demonstrating a Kaupapa Māori approach and experience.

In what way did the Pilot Program propose that staff and participants would be recruited and subsequently enabled to engage 'as Māori'; in a way that encouraged and supported them to 'be' Māori?

There were only two Provider staff members who worked on the Pilot. They had demonstrated experience of working in the area of Kaupapa Māori HSB. In all discussions with them, they clearly articulated where they believed from where the origins of Kaupapa Māori came, i.e.: Te Whakaputanga (Declaration of Independence). They had a clear frame of reference and were able to refer to this when project discussions deviated from a Kaupapa Māori focus. They repeatedly demonstrated their commitment to Kaupapa Māori, and this permeated all interactions with the evaluation team and MSD. We can therefore assume that this type of interaction will extend to the programme participants, although we were unable to view these interactions in practice.

How has Kaupapa Māori framework been utilized in reporting, self-review and evaluation?

The evaluation team developed a Kaupapa Māori framework for evaluation as discussed earlier, however there is no approved Kaupapa Māori framework for evaluation KMHSB. Contract reporting and review did not use any Kaupapa Māori framework.

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Were any Kaupapa Māori elements applied or considered at challenging points of the procurement process? If yes, how?

There were times during the Pilot where tension between the key parties did arise. Strategies to resolve conflict were employed, such as karakia, hui, whakawhiti kōrero, whanaungatanga and whakatau. All hui were opened and closed with Karakia. The protocols associated with hui were employed, i.e. the situation was approached with an open mind, for the purpose of finding a solution. Robust dialogue was engaged, and concerns were raised and addressed respectfully. Success in this process was heavily dependent on the strength of relationships going in to the process, however as there was an agreement to engage in the process of hui, and as there was an agreement and shared understanding of what hui involved, a positive outcome was reached. This tikanga based approach is highlighted in the Kaupapa Māori framework as 'ngā mahi ā kui mā, ā koro mā.' which means return to the ways of our elders.

3.8 Kaupapa Māori recommendations

Based on our evaluation and literature review of Kaupapa Māori we believed it was essential to develop a framework for Kaupapa Māori Procurement and Programme design. We envisage that this will be useful for future MSD Kaupapa Māori developments. That:

1. A Kaupapa Māori skills matrix when working on Kaupapa Māori projects, within Government departments is developed. Only those with the right skill set and experience should be assigned to Kaupapa Māori projects.
2. Māori with the right skill set should lead Kaupapa Māori initiatives. This could best be achieved by ensuring that Māori personnel are appointed in strategic roles at all levels of key decision making.
3. Significant weighting is allocated in the proposal evaluation process, to Kaupapa Māori experience. The evaluators are unable to comment on whether 35% weighting is sufficient
4. An agreed definition and framework for Kaupapa Māori design needs to be developed. The evaluation team have provided a framework for consideration when demonstrating Kaupapa Māori programme design principles
5. Kaupapa Māori programmes should clearly demonstrate Kaupapa Māori outcomes
6. Kaupapa Māori framework developed to evaluate this Pilot might form the basis of how Kaupapa Māori HSB Programmes are designed and evaluated
7. Kaupapa Māori frameworks can highlight specific elements used to review programme processes and outcomes

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4. Various constraints hindered the Pilot and the evaluation

We encountered various constraints that hindered the evaluation, that were not originally envisaged by either MSD or Sapere. These included:

- delays in the Pilot being contracted for (but beginning earlier)
- contract variation changes with the Provider which took some time to finalise
- lack of participant volumes in the Pilot (less than 10 for the total time)
- the evaluation needing to be reframed to be a process evaluation due to delays in recruiting participants
- additional hui with the Provider
- additional stakeholder names to meet with, however these were not forthcoming. This was a significant gap to the evaluation and has compromised fullness and objectivity of the findings
- impact on payments to contracted parties when the project is delayed.

Together MSD and the evaluators came to the decision to continue trying to evaluate what had occurred in the spirit of joint learning. Despite the Pilot not reaching the agreed targets within the agreed timeframes, a decision was made to fully explore why, as this was still considered a learning. The Funder exercised flexibility, open communication and reworked ongoing agreements while working in a consultative manner, to ensure that learning would be gained from this experience.

Due to the challenges of gaining adequate access to participants and referral agencies, our ability to draw conclusive evidence has been limited. This was not a clinical or therapeutic audit or observation (i.e. not an input or outcomes evaluation).

4.1 A more holistic understanding of HSB in the context of Kaupapa Māori is needed

As noted, a significant finding was that there were differing understandings of what Kaupapa Māori meant. We explore the implications of this and offer some possible solutions. We recommend that early and ongoing shared understandings and agreed definitions may avoid misunderstandings in future KMHSB Programmes.

4.1.1 A clear definition of what Kaupapa Māori is and how can it be applied in practice, is needed

The evaluation highlighted that there were many different interpretations of what Kaupapa Māori entailed, and how it could potentially be applied in practice. We considered a range of definitions during the evaluation process. This allowed us to adopt a broad view of Kaupapa Māori approaches in the HSB space. From the following definitions, we identified a range of associated Kaupapa Māori elements, and then used these elements to formulate Kaupapa Māori process evaluation questions and a Kaupapa Māori audit.

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According to Kerr (2011) and Moewaka Barnes (2006) Kaupapa Māori initiatives ultimately benefit the collective, are Māori led and are transformational.

Further, Cram, F, et al (1999) suggests that:

> "… the term Kaupapa Māori is used to refer to Māori centered and designed philosophies, frameworks and practices." (Cram, F, et al, 1999, *Evaluation of Effective Corrections Programs*.) [21]

More generically, kaupapa Māori initiatives …

> "… work from a Māori foundation that seeks positive outcomes (Smith, L., 1999) for the collectives of whānau, hapū and iwi (family, sub-tribal and tribal groupings) and for Māori more generally. It is an approach that views the holistic makeup of Māori, both as individuals and as collective members of community, in working towards advancing the well-being of the collective. A significant aspect of the approach that is particular to Kaupapa Māori is that it asserts Māori language and cultural values as integral to its practice. (Smith, G., 1997; Smith, L., 1999)"
>
> "[are] distinctly different from Western approaches in that [Kaupapa Māori] is driven by tikanga Māori … Kaupapa Māori is knowledge that validates a Māori world view and asserts that it is not only Māori owned, but also Māori controlled." (Nepe, T., 1991)
>
> "[are] more about Māori advancement and development than the struggle for power. Eketone (2008) highlights how Kaupapa Māori holds understandings other than those that have led developments. Just as Māori are diverse, the approaches used will also be diverse."
>
> "[include] Māori centered service design … There are also those that include simply living in a way that may be described as Kaupapa Māori, where the way of living is inherent and normal to being Māori." (Eketone, 2008).

Kaupapa Māori initiatives therefore reflect the following elements:

- assert Māori language and cultural values (Te Reo me Nga Tikanga Māori)
- are driven by tikanga Māori, (including cultural protocols, values, practices and views of the world) (Nga mahi a kui ma, a koro ma)
- advance the well-being of the Māori collective, including the individuals within that collective (Hei painga mo te iwi)
- develop knowledge that validates a Māori world view; (Matauranga Māori)
- are Māori led (He Māori te whakahaere)
- are Māori controlled (Tino rangatiratanga)
- allow and encourage Māori participants to 'be' Māori (Te Ahurea Māori)
- are open to diverse models of application in practice (Whakaemi i ngā tini huarahi)
- use the above elements in the design of self-review and evaluation (Te Arotake)

[21] Ministry of Social Development, Community Investment. *Harmful Sexual Behaviour services for non-mandated adults Kaupapa Māori Pilot Guidelines.* Draft. May 2017

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In keeping with the various definitions of Kaupapa Māori, some interviewees believed that Kaupapa Māori was not a program, but a way of life. Others preferred definitions which aligned more to approaches used during program delivery. This showed that even Māori perceptions of what Kaupapa Māori entails were different.

For this Pilot, a Kaupapa Māori framework for evaluation was used by:

1. Aligning the phases of Mōhio, marama, matau, tupu and ora to the different phases of the evaluation. Each phase consists of evaluative tasks.
2. Taking stock of historical colonial influences that have impacted negatively upon Māori
3. Embedding tikanga Māori in all dealings with the project team, and in approach to evaluation
4. Considering a range of Kaupapa Māori focused process evaluation questions.
5. Looking for evidence of the Kaupapa Māori elements in the Pilot

The draft Kaupapa Māori Pilot Guidelines[22] developed by MSD, detailed various features of what a Kaupapa Māori Pilot might include. For the purposes of this evaluation we referred initially to these Guidelines when considering our analysis and synthesis. However, at the point of analysis, we found it important to add additional comment on what Kaupapa Māori might entail, in an HSB context. This was to try to add value for the future thinking of KMHSB opportunities.

4.2 Learning together became a key goal for the Pilot and adjustments were made to achieve this

4.2.1 Managing multiple projects in the same field needs to be carefully navigated

Following the contract variation in November 2018, MSD worked with the Provider at both national and local levels to try and address service referral numbers. In September 2018 there was an internal documentation trail and agreement in MSD that a revised payment schedule to the Provider be proposed to them with new service deliverables which included volumes, and as a consequence, modified milestones. These changes included a shift to more of a relational approach from MSD, including regular contact, bi monthly meetings. The volumes were a minimum of five clients engaged by October 2018, and a minimum of seven participants engaged by 1 December 2018.[23] There were always volume targets included, including questions on this in the RFP tender documentation.

Consequently, it is still not clear how many Māori adult participants were actually engaged via this Kaupapa Māori Pilot. A comparison with a mainstream Program already in place, and working with Māori in the HSB space, may have been beneficial with regards to sharing processes.

[22] Ibid.

[23] Internal MSD memo, 12 September 2018.

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4.2.2 Adopting a partnership model between MSD and Kaitiaki would increase departmental Kaupapa Māori capacity

Some of the Māori interviewees suggested that there should be a partnership model adopted as a part of the procurement design process, where external Kaitiaki (Guardians) of Kaupapa Māori are brought in, to work alongside MSD until such time as there is a dedicated Kaupapa Māori unit or service within the department. The Kaitiaki could potentially work in Kaupapa Māori teams in an advisory capacity and would consist of subject matter experts.

The same interviewees also felt that there was minimal consideration given to the overlaps between Programs funded by Government Departments, which could quite possibly include the same participants. The funding received is often one dimensional, usually aligned with a presenting issue such as HSB, and does not cover treatment or supports needed in other areas of a participants' life, such as domestic violence, or drug use, which would require forging stronger links between justice, police and health. This lack of apparent collaboration, and inevitable overlap of client issues could potentially prove problematic for the participant, the Provider and for the Funder.

4.2.2 Relationships matter

As noted, a key finding is that relationships, and time to build trust, do matter. On this note we suggest:

1. Not extending Pilots in their original form without further relationship and communication building that necessarily builds trust between both parties (MSD and the Provider).
2. Developing the model in partnership with wider sector stakeholders, with kaupapa Māori methods.
3. Building strong relationships early and work closely on the kōrero, signing and understanding of the contract and all related terms and expected outcomes.

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Appendix A Evaluation Plan

Kaupapa Māori HSB pilot – draft evaluation plan

Date prepared: 9 February 2018
Prepared by: Jo Smith and Rachael Tuwhangai
Version: V1.0

Note: this was written before the final changes in scope and still includes reference to participant interviews.

Background

The Ministry of Social Development (MSD) is piloting a kaupapa Māori Harmful Sexual Behaviour Service (the pilot) as part of its investment into specialist sexual violence services. The purpose of the pilot is to deliver harmful sexual behaviour services in accordance with a kaupapa Māori framework.

MSD is piloting this service because it recognises that effective responses to sexual

violence for Māori should be informed by, and address, the complex range of factors that

contribute to the overrepresentation of Māori in sexual violence statistics. Through the pilot, MSD hopes to further support the development of whānau violence prevention and intervention programmes, and to increase the knowledge base in respect to the application of indigenous frameworks.

At a high-level, the contractual objectives of the pilot are to deliver HSB services, so that clients and their whānau support network and wider community:

1. Have their needs met through mana-enhancing Kaupapa Māori therapeutic services that are effective, holistic and responsive
2. Are supported to become strong and resilient, and able to identify their own ways to restore and sustain safety and mauri ora
3. Are supported to achieve lasting, positive change through the support of whānau and the wider community
4. Can demonstrate a reduction in risk factors for future HSB offending/re-offending and increased safe behaviour.

Evaluation objectives and purpose

The purpose of the evaluation is to provide an independent assessment of the effectiveness and efficiency of the pilot.

Primary objectives are:

1. Assessing the extent to which the pilot is achieving its intended outcomes
2. Garnering lessons learned around the commissioning of outcomes-focused services for Māori
3. Developing recommendations for the potential future expansion or roll-out of similar approaches elsewhere in New Zealand.

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Evaluation scope

The scope of the evaluation is the implementation and early outcomes of the pilot, which will run from February 2018 until 30 June 2019. The Provider is Korowai Tumanako and delivery is based in Auckland. The Provider will have flexibility in terms of its service offerings and delivery model, but these are expected to be consistent with the Pilot Guidelines issued by MSD, which set out the broad expectations in regards to delivery principles, relationships and workforce requirements.

Given that the expected client volume of the pilot is expected to be small (fewer than 20), the evaluation scope is inclusive of all clients over the pilot period. However, client participation in evaluation interviews will be entirely voluntary and opt-in, and ethical procedures will be put in place for obtaining written informed consent and ensuring the safety and wellbeing of participants and the evaluation team.

In order to measure ora (long-term outcomes), longitudinal monitoring of clients and their whānau is required. This is out of scope of the evaluation, but it is hoped that the co-developed evaluation framework and tools that are established will continue to be implemented post-pilot, so that these outcomes can be tracked.

The evaluation will investigate the effectiveness or otherwise of the pilot in way that can robustly feed into the Budget 19 process. To support the Budget bid and supporting cost benefit analysis (CBA), the evaluation will assess the early impacts of the pilot. Preparing the CBA itself is out of scope of the evaluation.

Evaluation approach

The use of a Kaupapa Māori approach in evaluation work aims to ensure that the outcomes gained will benefit Māori. This evaluation will be embedded within a Kaupapa Māori framework and will be underpinned by the Kaupapa Māori Ethical Principles. These Principles provide guidance to ensure that Māori processes are fully engaged throughout the project in order to bring to the fore Māori voice and Mātauranga when dealing with the challenges faced by those impacted by sexual violence. The evaluation team will work very hard to ensure that culturally responsive and culturally safe processes are used at all times, over the duration of the project.

The evaluation team will ensure that the approach fits within the world view of the participants, is culturally located within Te Aronga Māori, and is firmly underpinned by Kaupapa Māori Ethical Principles, as follows:

1. Aroha – we will engage and consult with the Provider and participants on how and where they would like us to undertake the fieldwork
2. Kānohi Kitea –fieldwork will be undertaken with participants face-to-face
3. Manaaki Tangata – we will take a collaborative approach and as part of reciprocity, we will confirm following consultation with the Provider and local Iwi whether this is in the form of a koha and/or refreshments
4. Mana – we will keep participants informed about the evaluation process, communicate interim findings, and as appropriate seek feedback on the draft reports
5. Māhaki – evaluation findings and recommendations will be shared with those who took their time to share their knowledge.

Kaupapa Māori Principles will be further demonstrated the evaluation team members by:

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1. Taking time to build positive relationships and trust between the evaluation team and participants
2. Being open minded, non-judgemental, and respecting the contributions made by participants
3. Showing humility in all interpersonal dealings
4. Observing and listening before speaking
5. Taking the necessary precautions to keep both the participants and the evaluation team safe.

Evaluation methods

Although qualitative methods of gathering data are often considered to be more appropriate to Kaupapa Māori research and evaluation because they capture more articulately the voice of participants, Kaupapa Māori can use a mixed methods approach to identifying beneficial outcomes for Māori. The evaluation will therefore use a combination of qualitative and quantitative methods.

A primary focus will be on **measuring the shift** for clients and their supporting whānau in the context of the pilot's takepu and **capturing this through case study narratives.** This information will be garnered through **kanohi ki te kanohi interviews (group and/or individual)** with clients, supporting whānau members and kaimahi, combined with the evaluators' **observations** through the evaluation process and simple **surveys** (paper-based/online forms) at key points in the therapeutic journey (likely to be mid-point and on exit). Ethical processes around recruiting participants, gaining consent, storage of information and presentation of individual stories will be implemented.

Supporting this qualitative evidence base, we will review a number of quantitative metrics to be collected by the Provider:

1. Number of enquiries
2. Number of referrals, and source of referral
3. Number of initial assessments completed
4. Proportion of referrals that become clients
5. Number of clients
6. Completion rates, and reasons for non-completion
7. Rate of recidivism while on programme
8. Average change in risk assessment scores (from baseline assessment to programme completion).[24]

In order to be able to capture lessons learned and make recommendations for potential future expansion or roll-out of similar services, we will need to be able to sufficiently describe the service. Without getting into clinical detail of the therapeutic method, the evaluation will **describe in broad terms the pilot model**, including aspects such as:

1. Types of promotional and relationship building activities
2. Relationships with referral and other relevant agencies (such as the nature and extent of cross-referrals)
3. Organisational and workforce structure

[24] The clinical risk assessment tools used by the Provider are STATIC-99®/STABLE-2007/ACUTE-2007 and ARMIDILO-S for clients with developmental and intellectual limitations.

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4. Therapeutic treatment model (e.g., frequency, format and duration of sessions; and in broad terms how the kaupapa is actualised)
5. Cost of services (note that while we will not be seeking commercially confidential information, we will need to explore the full costs of the service vis à vis the funding allocation, in order to evaluate the efficiency and scalability of the pilot).

This will be done through **document review** and **kanohi ki te kanohi** interviews with kaimahi, Provider taumata, and other stakeholders including referral agencies, MSD, other local HSB Providers and local Iwi and community members.

Outcomes framework

Nga Whainga	Reduce recidivism and sexual harm		Enhanced Whānau and community safety and mauri ora		Sustainable Kaupapa Māori HSB services
Poutama Arotake	Mōhio	Mārama	Mātau	Tupu	Ora
Activities and outputs	Contract proposal process Provider selection process Contract Negotiaion process Contract procurement Programme marketing and promotion Personnel recruitment selection and support	Triage and assessment of referrals	Indvidual, group and Whānau therapies and whananga / noho marae based on Te Aronga Māori Recruitment and professional supervision, on-the-job traiing and peer support for kaimahi	Monitoring and reflective practice	Improved well being of participants and their Whānau On going growth, development and prosperity of Provider
Takepu	Aroha	Kanohi Kitea	Manaaki	Mana	Mahaki
Inputs	**Funding for 20 months for the Kaupapa Māori HSB Pilot service for non-mandated adult clients and their Whānau**				

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Problems being addressed	Legacy of colonisation	Erosion of mana and disturbance of tikanga	Lack of specialist Kaupapa Māori specialist HSB Services	Shortage of Māori HSB Kaimahi	Over-representation of Māori in sexual abuse statistics

Evaluation framework

The following table sets out the detailed evaluation questions, measures and methods. The interview and survey questions, as well as the overall analysis, will be structured around the Poutama Arotake of service delivery (mōhio, mārama, mātau, tupu and ora), encompassing the process and outcomes for clients, whānau and kaimahi.

Evaluation question	Measure	Methods/information sources
Mōhio		
Contract proposal process Provider selection process Contract Negotiaion process Contract procurement Programme marketing and promotion Personnel recruitment selection and support *How is the contract initially gained?* *How do people find out about the service and what are the referral pathways?*	1. MSD, Provider and Referrer evaluation interviews 2. Desk top documentation review 3. Client, whānau and kaimahi stories of their journey with the pilot (case studies) 4. Number of enquiries 5. Number of referrals, and source of referral 6. Promotion activity undertaken (descriptive) 7. Stakeholder awareness of the pilot (qualitative)	1. Kanohi ki te kanohi interviews 2. Data analysis 3. Document review
Mārama		
Triage and assessment of referrals *How are the needs of clients identified, determined and met?* *How are the needs of practitioners identified, determined and met?*	1. Client, whānau and kaimahi stories of their journey with the pilot (case studies) 2. Number of initial assessments completed 3. Proportion of referrals that become clients 4. Referral and other agencies' views on Provider relationships (qualitative)	1. Kanohi ki te kanohi interviews 2. Data analysis
Mātau		
Indvidual, group and Whānau therapies and whananga / noho marae based on Te Aronga Māori	1. Client, whānau and kaimahi stories of their journey with the pilot (case studies) 2. Number of clients	1. Kanohi ki te kanohi interviews 2. Data analysis

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How is new knowledge gained by clients as a result of the programme?	3. Completion rates, and reasons for non-completion 4. Client and whānau perceptions of accessibility of service and barriers to access (qualitative)	
Recruitment and professional supervision, on the job training and peer support for kaimahi *How is new knowledge gained by practitioners as a result of the programme?*	5. Kaimahi views on the recruitment process, the extent to 6. which their professional supervision and peer support needs are being met, and the new knowledge/capability gained (qualitative)	1. Kanohi ki te kanohi interviews 2. Kaimahi surveys (online)
Tupu		
Monitoring and reflective practice *How is client development and progress monitored throughout the programme?* *How are new staff chosen, prepared and further developed in their role?*	1. Client, whānau and kaimahi stories of their journey with the pilot and the impact and outcomes (case studies) 2. Rate of recidivism while on programme 3. Average change in risk assessment scores (baseline assessment to programme completion) utilising a Māori clinical lens.	1. Kanohi ki te kanohi interviews 2. Client and kaimahi surveys (paper-based and online) 3. Data analysis
Ora		
Outcomes *What has been the long-term impact of the programme in terms of reduced sexual harm/recidivism, and increased whānau and community safety and mauri ora?*	Measures to be discussed over the course of the pilot	Longitudinal monitoring (post-pilot and out of scope of this evaluation) Korowai Tumanako will be integral to any further research related to this pilot.

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What has been the impact of the presence of the 'pilot' mechanisms on the programme delivery and client/whanau participation?		

Timing and deliverables

Deliverables

The key deliverables for the evaluation are:

1. Development of an appropriate logic model/outcomes framework and reporting measures for the Pilot. These will be developed collaboratively with the successful Provider and MSD. The outcomes framework, while specific to this particular service will align with broader agency work taking place to develop frameworks and measures of success for whānau wellbeing. MSD will provide information and facilitate connections into this broader work as relevant and applicable.
2. A high-level formative evaluation, focussing on the development, commissioning and implementation of the Pilot. This will include (if relevant) best-practice recommendations around commissioning outcomes-focused services for Māori.
3. A Summative Evaluation, focussing on the client-level outcomes of the Pilot. The Summative Evaluation should show the effectiveness or otherwise of the Pilot in way that can robustly feed into the Budget 2019 process.

Evaluation schedule

Preliminary findings are required by the end of November 2018 in order to feed in to the Budget process. The following table sets out a high-level schedule for the evaluation activities and deliverables.

Activity/deliverable	Date
Contracting	August 2017
Phase One: Inception	November 2017-January 2018
Phase Two: Planning	
Evaluation framework	January 2018
Evaluation plan	February 2018
Phase Three: Formative evaluation	
Initial participant recruitment (first site visit)	March 2018
Document review	April 2018
First round of interviews and survey (second site visit)	May 2018
First data extract	May 2018
Analysis	June 2018
Formative evaluation report	June 2018
Presentation/hui	July 2018
Phase Four: Summative evaluation	
Second round of interviews and survey (third site visit)	September 2018
Second data extract	September 2018

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Analysis	October
Preliminary findings report	November 2018
Third data extract and analysis	March 2019
Final evaluation report	June 2019
Closure	July 2019

Progress reporting

Fortnightly progress reports will be provided to MSD by email. These will summarise activity against deliverables and work stages, highlighting any issues, emerging risks or actions arising.

Ethical considerations

The evaluation needs to ensure the safety of participants and the evaluation team members.

Participants will include:

1. Clients (individually and/or in groups)
2. Referral agencies (e.g., Police, Probation Services, Corrections, other social services Providers, churches etc) and relevant other community-based agencies such as other local HSB Providers
3. Kaimahi
4. Supporting whānau (potentially including victims)
5. Runanga/Taumata/Advisory members.

Evaluation participants will be discussing matters of a sensitive nature. There is also a risk of re-traumatisation, or disclosure of new incidents (recent or historic) that have previously not been reported to the Provider or other agencies (e.g., Police). The evaluation team will comply with Sapere's Disclosure Policy.

Participant recruitment and informed consent

Given the small number of participants in the pilot, the evaluation will invite all clients, as well as members of their supporting whānau, to be engaged in the evaluation. Participation will be voluntary and opt-in.

Written informed consent will be gained prior to participation in the evaluation (and again prior to each interview/hui) – and these forms will be provided in Te Reo and English. Children or youth (aged under 18) will not be directly engaged in the evaluation.

The evaluation team may look to bring in a Māori male interviewer/facilitator and/or other experts as required, depending on the needs of the Provider and participants (availability may be subject to practical/logistical arrangements and budget).

Confidentiality of information and data

Interviews/hui will not be audio recorded. Written notes will be taken – these will remain confidential to the evaluation team members and stored securely. They will also be stored anonymously (numeric identifiers will be assigned to each participant so they are not personally identifiable, but we can link results longitudinally). Service data will also be anonymised.

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Sapere will institute an internal ethical wall so only team members can access the electronic files. No identifiable information will be provided in the evaluation reports. Findings will be presented by themes.

Use of case studies

In order for the evaluation to have a strong client and Māori voice, we are keen to use a selection of case studies that present the stories of individual clients in their own words. The focus of the case studies will be to describe the shift for clients and their supporting whānau.

Recruitment of case study participants will be during the second stage of interviews. A selection of clients will be invited to have their stories presented in the final evaluation report, and participation will be subject to an additional consent process.

The narratives will be prepared by the evaluation team based on interview notes, and provided to the participants so they can review them, to ensure they accurately capture their story. In order to preserve anonymity of clients and whānau (including victims), the narratives will not contain any identifying descriptors, or particular events or situations. They will also use pseudonyms chosen by the individual participants.

Safety of the evaluation team

The evaluation team has engaged a clinical psychologist to be available to provide therapeutic/peer support on an as-needs basis.

Reciprocity

Communications and engagement

All public communications around this evaluation will be conducted by MSD.

We will work with the Provider to introduce and explain the evaluation to clients, invite their participation and gain informed consent. Written information about the evaluation will be prepared by the evaluation team and Sapere branded to help reinforce independence and confidentiality.

A list of sector stakeholders to be invited to participate in interviews will be jointly prepared, and introductory emails sent by MSD on MSD letterhead.

Evaluation management and governance

Evaluation team

The core evaluation team is Jo Smith and Rachael Tuwhangai. Rachael is of Tainui descent and a fluent speaker of Te Reo Māori. They will be supported by Rohan Boyle (data analysis) and Jo Prince (literature searching). Internal quality assurance will be provided by Elisabeth Poppelwell. Clinical support for the evaluation team will be provided by Lisa Cherrington, a clinical psychologist of Ngati Hine descent.

Team member	Roles and responsibilities
Jo Smith *(Note: Jo Smith left the employ of Sapere during the evaluation*	Project manager and client liaison Evaluation design Document review Kanohi ki te kanohi interviews and surveying Analysis

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and Jo Esplin picked up her tasks)	Report co-writer
Rachael Tuwhangai	Kaupapa Māori evaluation design Facilitation of focus group hui and kanohi ki te kanohi interviews Stakeholder engagement lead Analysis of service design model and delivery from a cultural lens Analysis Report co-writer
Elisabeth Poppelwell *Note: Elizabeth left the employ of Sapere during the course of the evaluation and her tasks were picked up by Emily Laing.*	Internal quality assurance
Rohan Boyle	Service data analysis (none was available)
Jo Prince	Literature searching

Risk management

Any emerging risks or issues will be raised immediately with MSD, along with the recommended management. The following table sets out identified risks.

Risk	Impact	Management
Clients reluctant to participate in evaluation	Fewer client participants in the evaluation may mean the full range and depth of experiences is not reflected in the evaluation findings and/or mean we do not reach saturation of findings.	Work with Provider to explain and introduce the evaluation and reinforce the confidentiality/anonymity of participants. In addition, we will endeavour to meet with participants and times/venues of their choosing (within the constraints of our field work budget).
Clients or whānau members disclose historic or current abuse during evaluation interview	Could pose a safety risk to potential victims and/or evaluation team members.	MSD legal has provided advice on escalation, which focused around the risk of imminent harm. We would seek professional clinical advice from the Provider or MSD in assessing such risk. We will also comply with Sapere's disclosure policy.

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Evaluation does not gain buy-in as kaupapa Māori approach	Findings are not accepted by stakeholders, reducing the value of the evaluation.	Sapere has partnered with a Māori researcher to develop a robust Kaupapa Māori approach and lead engagement with the Provider, clients and evaluation stakeholders. The evaluation will take a co-development approach with the Provider.
More extensive face-to-face engagement required than planned/budgeted for	Pressure on budget.	Emerging budget risks will be raised with MSD in progress reporting. We will seek to undertake some communications with the Provider via telephone/Skype/Zoom to help minimise costs.

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Annex 1: Client and whānau information and consent forms

Participant Information Sheet

Evaluation of the Korowai Tumanako Kaupapa Māori Harmful Sexual Behaviour programme

Nā tō rourou, nā taku rourou ka ora ai te iwi
Through our shared contributions, we will flourish

What is this research for?	The purpose of this research is to provide an independent evaluation of the Korowai Tumanako Kaupapa Māori Harmful Sexual Behaviour programme. This involves studying: 1. People's experience of the programme; 2. The lessons learned around the commissioning of outcomes-focused services for Māori; 3. The positive service aspects that can be replicated in other parts of the country.
Who will be conducting this research?	We've asked Sapere Research Group, an independent research agency, to conduct the research for us. This means that MSD will not know if you chose to participate or not, and your individual feedback cannot be identified by MSD.
What is involved?	If you agree to be involved the evaluation team will invite you to participate in two face-to-face interviews and two surveys.
Do I have to take part in the research?	Your participation in this study is entirely your choice. You are free to: 1. Choose not to take part 2. Withdraw at any time, without having to give a reason. This will not affect the service or support you receive from MSD.

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What information will Korowai Tumanako give to Sapere if I agree to participate?	If you agreed to participate, Korowai Tumanako will give Sapere your name and contact details.
Will Sapere use my contact information for anything else?	No, Sapere will only use your contact information for this study and will not give it to anyone else.
Will my response be confidential?	Yes. Sapere will only report summarised results, not individual responses. This means MSD will not be able to tell who took part in the research or who said what. The Sapere team members must follow the ethical guidelines of the Australasian Evaluation Society.
What if I am not contacted?	If you do not hear from Sapere by [date] then Sapere does not need you to be part of the study after all. However, MSD is grateful for your willingness to participate.
What are my rights?	You have the right to choose whether you want to take part or not, without this choice affecting your entitlements to MSD services or the quality of service you get from MSD. If you choose to take part, you have the right to anonymity and confidentiality. MSD will not know if you took part or not and will not be able to tell what you personally said. If you have any questions or concerns regarding your rights as a participant in this study you may wish to contact a Health and Disability Advocate, by telephoning 0800 555 050, or emailing advocacy@advocacy.org.nz.
What if I want to find out more about it?	If you have any questions about the study, please call Rachael Tuwhangai on 0210488599 or Jo Smith on 027 433 9170 If you'd like to talk to someone at MSD, please call [contact details]

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Participant Consent Form

Evaluation of the Korowai Tumanako Kaupapa Māori

Harmful Sexual Behaviour programme

Nā tō rourou, nā taku rourou ka ora ai te iwi
Through our shared contributions, we will flourish

I agree to take part in the above Ministry of Social Development (MSD) research project.

I understand that this is an independent study being conducted on behalf of MSD by Sapere Research Group. I understand that researchers from Sapere are responsible for the collection and analysis of all information. I understand that by agreeing to take part I am agreeing to participate in interviews and surveys.

I have read and understood the information sheet for participants taking part in the Evaluation of the Korowai Tumanako Kaupapa Māori Harmful Sexual Behaviour programme. I have had the opportunity to discuss this research. I am satisfied with the answers I have been given.

I understand that by agreeing to take part I am willing to participate in two face-to-face interviews and two surveys about my experience with the programme.

I understand that:

1. I am free to choose whether or not to participate in this research and I can withdraw at any stage, without being penalised or disadvantaged in any way, and without having to give a reason.
2. My participation in this study will have no bearing on any current or future dealings I may have with MSD
3. Any information I provide is confidential, and that no information that could lead to the identification of any individual will be disclosed in any reports on the project, or to any other party (including MSD).
4. That I am able access and amend any incorrect personal data which is held on me
5. If I wish, I can receive a summary copy of the findings at the completion of the project.

PARTICIPANT CONSENT		
Name:	**Signature:**	**Date:**

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Annex 2: Client and whānau interview guide

This interview guide is indicative of the relevant subject matter to be covered. It is designed to allow freedom of any additional relevant topics or aspects that may arise during the discussion. Different questions will be more relevant at different stages of a client's progression in the programme.

Introduction

Introduce self, Sapere and the project. Reinforce confidentiality and anonymity. Build rapport. We will mihimihi/undertake introductions/ offering of an opening to begin the session. Interviewees will be invited to identify their iwi, if they wish.

Purpose of the evaluation is to provide an independent assessment of the effectiveness and efficiency of the programme. We are looking to:

1. understand people's experience of the programme;
2. gain lessons learned around the commissioning of outcomes-focused services for Māori;
3. identify positive service aspects that can be replicated in other parts of the country;
4. make recommendations for the future.

Mōhio

1. How did you first find out about the programme?
2. Who told you about it and how did they describe it?
3. What happened next?

Mārama

4. How would you describe the first assessment session?
5. How did you feel about entering the programme?
6. What were you hoping to get out of it – expectations, goals?

Mātau

7. How would you describe the overall experience of the programme?
8. Have you gained new knowledge, skills or strategies?
9. Was the location and timing of the sessions convenient for you?
10. Is there anything that could be done to make the programme easier to attend?

Tupu

11. Have you been able to apply any of the skills or knowledge gained? If not, why not? If yes, how is this going?
12. How would you describe the impact of the programme for you and your whānau?
13. To what extent has it met your expectations/helped you achieve your goals?
14. What was best about the programme? What could have been done better or differently?
15. Are there any other comments you'd like to make about the programme?

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Closing

If you require any further information about the study please feel free to contact me.

Give koha to thank people for their time.

Closing salutation and appreciation of time/thank you.

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Annex 3: Client survey

Participant Survey

Evaluation of the Korowai Tumanako Kaupapa Māori

Harmful Sexual Behaviour programme

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	Relationship	
I *do not* feel heard, understood and respected	**1-------2-------3-------4-------5**	I feel heard, understood and respected
	Goals and topics	
I am *not* gaining new skills/knowledge	**1-------2-------3-------4-------5**	I am gaining new skills/knowledge
	Approach or method	
The approach is *not* a good fit for me	**1-------2-------3-------4-------5**	The approach is a good fit for me
	Overall	
The programme is *not* meeting my needs	**1-------2-------3-------4-------5**	The programme is meeting my needs

Is there anything particularly good, that you like best about the programme?

Is there anything that could be done differently or better?

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Annex 4: Kaimahi interview questions

Mōhio

1. How have people been recruited into your workforce? For instance, what is the process, and selection criteria?
2. (or for new kaimahi) How were you recruited into this workforce?
    1. How did you find out about the position?
    2. What made you decide to apply?
    3. How did the process go?

(a) Mārama

3. How is your time working in the programme spent? For instance, what proportion of your time do you spend on directly providing services with clients, administration, management, other tasks?
4. What supports are in place for kaimahi/yourself? For instance, emotional and peer support, on-the-job training and development, professional supervision?
    1. How well are these working?
    2. Are your support and development needs being met?
    3. Is there anything that could be done differently/better?
5. Do you feel you have the necessary tools and resources to do your job (such as administrative support, policies and procedures, IT systems)?
    1. If not, what is missing or what could be done to better meet your needs?

(b) Mātau

2. (For new kaimahi) Have you gained new skills or knowledge through working in this programme? If so, please describe.

(c) Tupu

6. How are you applying this new knowledge?
7. What kind of relationships do you have with other Providers, and the sector more generally?
    1. What is their level of awareness/understanding of the programme?
    2. How do you engage with them? For instance, are cross-referrals occurring?

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8. Overall, how do you think the programme is going?
    1. What's working well, and not so well, and why?
    2. Is there anything that could be done differently or better?
9. Is there anything else you think would be useful for us to know for the evaluation?

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Annex 5: Kaimahi survey

Participant Survey

Evaluation of the Korowai Tumanako Kaupapa Māori Harmful Sexual Behaviour programme

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	(d) Mārama	
My peer support needs are *not* being met	**1-------2-------3-------4-------5**	My peer support needs are being met
My training and development needs are *not* being met	**1-------2-------3-------4-------5**	My training and development needs are being met
My professional supervision needs are *not* being met	**1-------2-------3-------4-------5**	My professional supervision needs are being met
I *do not* have the tools and resources I need to do my job	**1-------2-------3-------4-------5**	I have the tools and resources I need to do my job
My workload is *too high*	**1-------2-------3-------4-------5**	My workload is manageable
	(e) Mātau	
I am *not* gaining new skills/knowledge through working in this programme	**1-------2-------3-------4-------5**	I am gaining new skills/knowledge through working in this programme
I *do not* feel confident delivering services to clients in the programme	**1-------2-------3-------4-------5**	I feel confident delivering services to clients in the programme
	Tupu	
I am *not* applying new skills/knowledge in this job	**1-------2-------3-------4-------5**	I am applying new skills/knowledge in this job

Is there anything else you'd like to say?

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Annex 6: Stakeholder interview questions

1. What do you know about the Kaupapa Māori Harmful Sexual Behaviour (HSB) programme that Korowai Tumanako is providing?
2. How does your organisation interact with Korowai Tumanako and their HSB programme? E.g., do you have coordination meetings, or work collaboratively in other ways?
3. Have you made any referrals to their programme? If yes, how do you select which clients to refer? If not, why not?
4. How is this programme impacting on your service, or the sector more broadly (if relevant)?
5. What are your views on what's working well and not so well about the programme and/or the relationships between Korowai Tumanako and other Providers/the sector?

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Sample process evaluation questions

v1 30th October, 2018

Mōhio

What recommendations could be made about the process for commissioning outcome focused services for Māori?

How do people find out about the service and what are the referral pathways?

What barriers did you encounter as a part of the recruitment and referral process?

How were such barriers overcome?

Were the strategy/strategies used to address barriers sufficient, in order to gain maximum output?

Possible sub questions:

What challenges did voluntary participation pose for a programme focused on harmful sexual behaviour?

What informed the preferred approach of wananga / noho marae?

How did participants feel about the approach used?

What is a recommended sample size to gain maximum impact?

What barriers to recruitment did you encounter, and how were these, or how could these be overcome?

What legislative, contractual or systemic barriers did you encounter in order to fulfill contractual requirements?

What internal (within your own organization) barriers did you encounter in order to fulfill contractual requirements/

What client / referral barriers did you encounter in order to fulfil contractual requirements?

How did you recruit participants?

Who did you engage with to gain referrals?

When you did this and how well did it work?

What are your thoughts about what worked best, what didn't in the various stages of the programme (Mōhio, marama, matau, tupu, ora?

What would you do differently next time?

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Kaupapa Māori process evaluation questions:

- to what extent did MSD and applicants engage Kaupapa Māori elements in the various stages of the proposal, selection, procurement, and program design?
- how were MSD staff identified and selected to work alongside the Pilot Program?
- what cultural expectations if any, were placed on the staff member/s by MSD, to engage with the Pilot?
- to what extent was the applicant required to demonstrate evidence of their ability to develop participant knowledge through the Pilot, that validates a Māori world view?
- in what way did the Pilot Program propose that staff and participants would be recruited and subsequently enabled to engage 'as Māori'; in a way that encouraged and supported them to 'be' Māori?
- how has Kaupapa Māori framework been utilized in reporting, self-review and evaluation?
- were any Kaupapa Māori elements applied or considered at challenging points of the procurement process? If yes, how?

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Appendix B MSD documents reviewed

The following is the document request given to MSD. A similar one was given to the Provider but was not responded to.

Sapere Document Request

Memorandum

February 2019

To: Waylon Edwards (MSD) and Joy and Russell, Korowai Tumanako
From: Jo and Rachael (Sapere)
Re: Data and Document request: Process Evaluation of the Kaupapa Māori Harmful Sexual Behaviour Pilot

This memo sets out an initial list of service and workforce data and documentation for our process evaluation of the Kaupapa Māori Harmful Sexual Behaviour Pilot. We would like to use this as a basis for discussion, to establish what exists/is available, and when it might be available to us. We will cover some of this in our interviews with you, but written information also allows us to more formally undertake the process evaluation, including dates and timelines etc. We understand that not all of this might be available and so it is a list of what we would like for discussion with you as to what is available.

Once you have considered this then it might be advisable that we talk about and any ideas or concerns you might have. Please ring Jo on 0217 233 4010 when you are ready.

For Ministry of Social Development		
Document/information	**Available**	**Supplied Yes/No**
Pilot **planning documents**: e.g. Business Case, Internal planning papers, approval papers and dates. Any significant internal memos. If possible any high level modelling on expected volumes, with assumptions.		
Summary of any literature reviews undertaken in planning especially on Kaupapa Māori models for reducing Harmful Sexual Behaviour		
Design of the pilot, e.g. papers outlining expectations, models, desired outcomes and dates; expected volumes of participants, planned locations and rationale etc.		
Planning workshop notes, i.e. the speed?? workshop and dates		

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RFP/ procurement documentation including selection / evaluation criteria, number of responses		
List of MSD people involved **by employment position** including, if possible, by relevant organisation chart		
Contract and service specification with successful applicant		
Progress / contractual reports from Korowai Tumanako		
Any **significant internal memos** once the contract was awarded till now		
Any other key documentation or literature we should be aware of?		

For Korowai Tumanako			
Document/information	**Description / comment**	**Available**	**Supplied Yes/No**
RFP response / documentation	For us to understand how you responded and what was intended in the service.		
Organisational information	Organisational structure (incl. FTEs) and governance structure		
Service planning documentation: past and future (e.g. strategic plan)	Any documents on service planning, e.g. strategic or business plans, communication plan etc. Also, any documentation regarding planning your model of delivery (or we can get this via interviews) Referral pathways, promotional material (e.g. flyers, brochures etc.), assessment tools, etc.		
Lists of **key stakeholders** and their contact details for us to contact for interviews	We want to understand who are your target groups for both education, profiling the service and referrers? Also, those who we should talk with.		
Documentation around **education or awareness strategies** of your service	Who do you educate / stakeholders? Education and relationship material with stakeholders Number of education or other marketing type activities, and dates (if		

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	available – we are trying to put together a timeline).		
Staff data	Data from service beginning to now on: - Staff data (including any contractors, if applicable) i.e. FTE, positions held, qualifications, location - Any vacancies (detail) - Details of any intended growth plans and target dates		
Client data	**Summary of referral** data (number of referrals, from where, reason for referral or other info you request, and demographics) **Client** data (number and demographics of those on your books (Active and waiting) or who have exited your service, activity e.g. what has been delivered and how often etc.) Include length of time from referral acceptance to first contact with the client. Discharge dates if applicable. Waiting times shortest and longest. **Whānau** activity – any details of work with whānau that is not captured in the client level data.		
Model of service delivery / clinical programme	Any documentation on the service delivery / therapeutic Kaupapa Māori model you use, incl. forms, assessments etc.?		
Anything else you deem relevant?	To be confirmed.		

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Documents from the Ministry of Social Development

Following is a list of documents that MSD supplied responding to Sapere's document request.

Table 2 Documents supplied by MSD

Date	Title	Author	Document type
Pre completion of tender			
8 March 2017 and 10 March 2017	Approval of a Procurement Approach for Harmful Sexual Behaviour services: In CONFIDENCE Quality Assurance sign out form	Tara Browning, Advisor Contract Development and Procurement, MSD	Memo
30 March 2017	Approval of a Procurement Approach for Harmful Sexual Behaviour services - UPDATE	Gordon McKenzie, Manager Adult Family and Communities, MSD	Memo
3 April 2017	Update on Approval of Kaupapa Māori Procurement Approach	Merena White, MSD	Sign out form
15 June 2017	Harmful Sexual Behaviour for Non-Mandated Adults: Kaupapa Māori Pilot Guidelines; vs 3.	MSD	Guideline
28 June 2017	Advanced notice of Contract Opportunity – Kaupapa Māori HSB Pilot	MSD	Notice

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Date	Title	Author	Document type
29 June 2017	Procurement Plan: Kaupapa Māori Harmful Sexual Behaviour Services Pilot, Procurement Board Number 17.59.01	Kelsey Field, Tara Browning, Mereana White, Partnering for Outcomes, MSD	Procurement plan
August 2017	Kaupapa Māori Harmful Sexual Behaviour Services Pilot Panel Members	MSD, Oranga Tamariki	Not stated
19 September 2017	Kaupapa Māori HSB Pilot: In Confidence. Not complete.	Marama Edwards, Group Manager, MSD	Report to Hon Anne Tolley, Minister for Social Development
27 September 2017	Terms of Reference (Draft and not implemented) Kaupapa Māori Harmful Sexual Behaviour Pilot Whakaruruhau (Steering Group)	MSD	Terms of reference
29 September 2017	Kaupapa Māori HSB Pilot Funding Recommendation	Tara Browning, Acting Senior Advisor Contract Development and Procurement and Kelsey Field, Advisor Contract Development and Procurement, MSD	Memo to Joe Fowler, General Manager Commissioning and Market Building and Mark Henderson, General Manager, Service Delivery – Community

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Date	Title	Author	Document type
1 February 2018	Terms of Reference (Draft and not implemented) Kaupapa Māori Harmful Sexual Behaviour Pilot Whakaruruhau (Working Group)	MSD	Terms of Reference
Korowai Tumanako Tender responses and follow up tender documentation received from MSD			
Undated	KMHSB E-Tender Response	Korowai Tumanako	Tender Response
Undated	Evidence of Service Demand	Korowai Tumanako	Tender Response
Undated	Supporting Information: KMHSB Application	Korowai Tumanako	Tender Response
12 December 2017	Letter of Offer to Korowai Tumanako	Mihi Blair, Community Investment Advisor MSD	Letter
Korowai Tumanako Contract Reporting to MSD			
3 October 2018	KMHSB Report 30 September 2018	Korowai Tumanako	Report
4 October 2018	Quarterly report: Nov 2017 to June 2018	Korowai Tumanako	Report
Further MSD documentation			

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Date	Title	Author	Document type
17 December 2018	Letter to Korowai Tumanako, including Novation and Variation Outcome Agreement between Ministry of Social Development and Korowai Tumanako Limited	Gina Tupou	Letter and contract
17 December 2018	Letter to Korowai Tumanako	Gordon McKenzie	Letter
12 September 2018	Delivery of the Kaupapa Māori Harmful Sexual Behaviour Pilot	In confidence Gordon Mckenzie, Manager Family and Community Services Team	Memo to Marama Edwards, Group General Manager

Documents from the Provider

Nil supplied.

MSD sent a copy of a flyer from Korowai Tumanako. Introduction Leaflet / Flyer, Kaupapa Māori Harmful Sexual Behaviour Programme, 'Ko Matou'. February 2018.

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About Us

Sapere Research Group is one of the largest expert consulting firms in Australasia, and a leader in the provision of independent economic, forensic accounting and public policy services. We provide independent expert testimony, strategic advisory services, data analytics and other advice to Australasia's private sector corporate clients, major law firms, government agencies, and regulatory bodies.

'Sapere' comes from Latin (to be wise) and the phrase 'sapere aude' (dare to be wise). The phrase is associated with German philosopher Immanuel Kant, who promoted the use of reason as a tool of thought; an approach that underpins all Sapere's practice groups.

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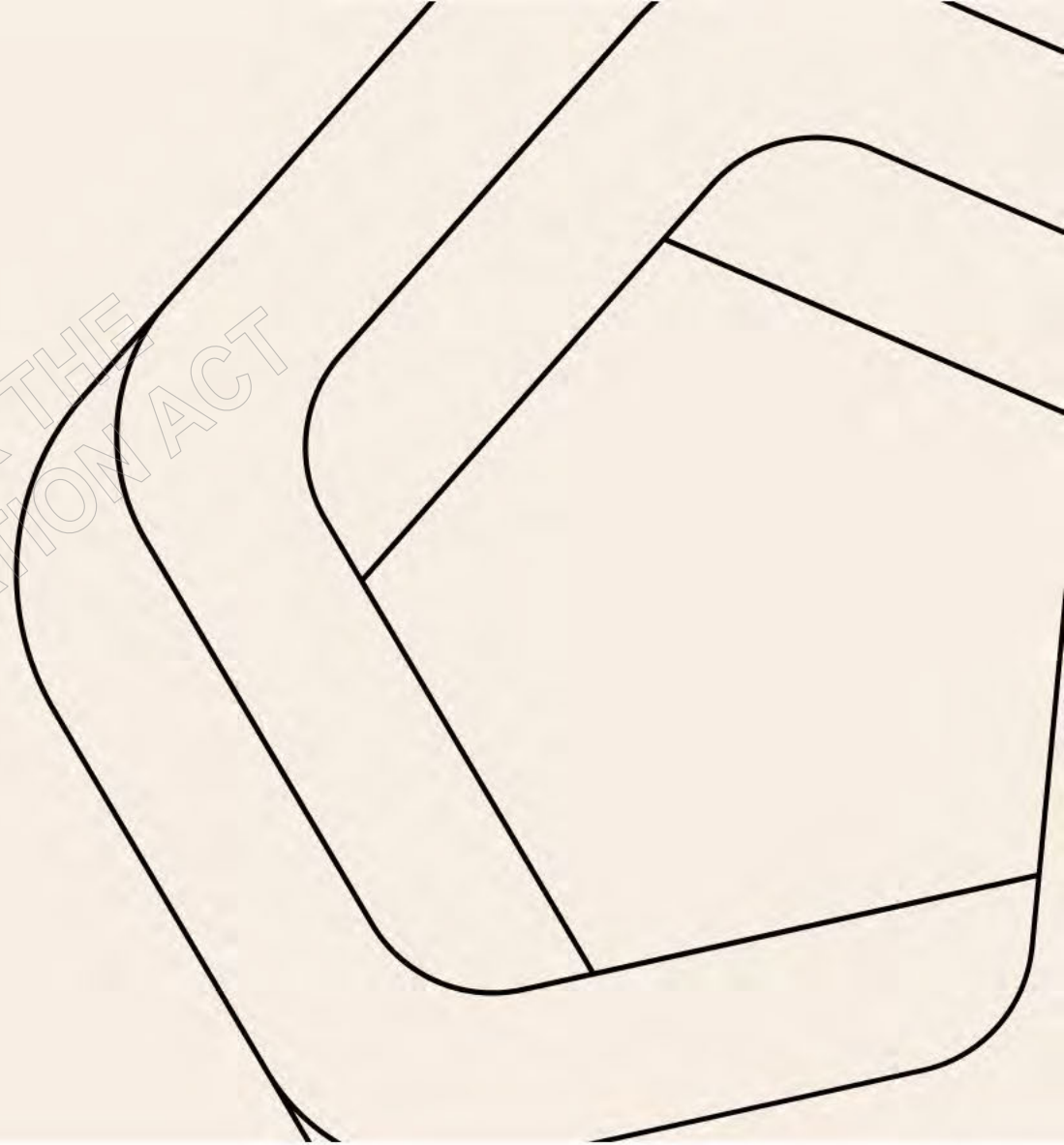

Love Better

One Year On
Campaign Review

September 2024

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verian

MINISTRY OF SOCIAL DEVELOPMENT
TE MANATŪ WHAKAHIATO ORA

IN-CONFIDENCE

Introducing Verian

Verian is the new name for Kantar Public (formerly Colmar Brunton).

Following our divestment from our former parent company, we are now an independent research and evaluation agency, providing evidence and advisory services to government and the public realm, across Aotearoa New Zealand and around the world.

Get in touch if you would like more information.

Kathryn Robinson &
Michael Winder

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verian

Powering decisions
that shape the world.

Contents

1. Executive summary
2. Campaign thinking and Theory of Change
3. Did the campaign engage young people?
4. Did the campaign help young people deal with hurt?
5. Is the campaign making an impact on harm?
6. What does this mean for youth relationships into the future?
7. Concluding thoughts
8. Appendix – methodology and sample profile

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1

Executive summary

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Executive summary

Campaign reception

The campaign has successfully infiltrated the youth media ecosystem in a way that is resonant, positive and helpful.

Out of the total youth population, one third have seen it (increasing to one half of Māori and Pasifika). Three quarters feel positive about it and half find it helpful.

Coping skills

The campaign is seen as helpful in multiple ways. It is considered to build skills, normalise feelings, and promote help seeking.

Encouragingly, fewer younger people are reporting a break up 'where it all blew up'.

Increased help seeking

Young people are now significantly more likely to turn to sources of help, particularly from those close to them. The number of young people who say they have nowhere to turn to has dropped substantially.

Awareness of sources of help has also increased significantly.

Impact on attitudes

Young people are beginning to think differently about breakups. Break ups are now more of a chance to grow – they are not necessarily always a bad thing.

Acceptance of negative behaviours is declining.

Impact on harm

However, break up harm is increasing, and becoming more broadly defined. Mental health impacts are on the rise.

This is quite possibly driven by increased recognition of harm.

Harm in relationships is static.

Admitting harm

More young people are admitting 'we both did this' during relationship breakdowns, potentially indicating the start to greater openness to admitting to harm.

Future capability

Looking to the future, young people are more confident in ending a relationship in a way which is not harmful.

They also seem to be becoming more adept at spotting harmful behaviours in a relationship.

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2

Campaign thinking and Theory of Change

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Assessing the impact of the Love Better campaign

This review aims to understand the impact of the Love Better campaign on young people, drawing from these three key sources (right). In particular:

- Do young people know and welcome the campaign?
- What messages are coming through?
- How does the campaign take effect? What might they feel, know or do differently as a result?

This understanding helps us to update the campaign's Theory of Change and to inform future campaign development.

Details of the methodology and sample for each source can be found in the appendix.

Campaign Monitor (Quantitative)	Campaign review (Qualitative)	Foundational research (Qualitative)
Pre-campaign benchmark survey with 782 young people Aug 22 **Post-campaign surveys** with 1,396 young people 451 in Sep – Nov 2023 470 in Dec 2023 – Mar 2024 475 in Apr – Jun 2024	**Online discussion forum** with 59 young people Sep 2023	**Online discussion forum** with 29 young people Dec 2022

The nationwide survey was conducted with New Zealanders aged 16-24. The survey:

- Over-sampled Māori/Pasifika to allow for robust analyses of these groups.
- Used quotas/weighting by age within gender and ethnicity to reflect Stats NZ data.
- Has a maximum margin of error of +/-2.6% on a sample of n=1,396
  (at the 95% confidence level and assuming simple random sampling)

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Why Love Better?

Better early experiences can prevent later harm.

Love Better is a multi-year, multi-phased relationship violence prevention campaign aimed at 16–24-year-olds. It is designed to disrupt harm before it occurs.

Why?

Evidence shows that adolescents in Aotearoa are most at risk of sexual and relationship violence both as victims and perpetrators. Patterns of behaviour that become 'normalised' during this time have a direct effect on adult victimisation and perpetration.

Stemming harm in the long-term relies upon fostering healthy relationships, experiences and pathways in the present, both minimising negative experiences now and lessening the likelihood of violence in the future.

> Some really scarring things can happen and you can carry that trauma for the rest of your life into different relationships, so just learning how to cope with that and have the tools to help past behaviours not become future ones.

Foundational research participant

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"As a young person, relationships can feel like the entire world - and, subsequently, when they end it feels life-ruining. We don't yet have the life experience to recognise how small relationship issues are in the large scope of things and so breakups or fights can feel super overwhelming. This is hard enough on its own, but it's made worse by the fact that typically others don't seem to recognise this. They act like we're overreacting or being irrational for getting upset by a breakup because they don't realise how much it's affecting us."

Foundational research participant

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Why focus on break ups?

For young people they are a universal – and particularly challenging – experience.

The foundational research for Love Better indicated that break ups are a particularly challenging event for young people. The 'sudden' nature of them can leave them reeling – this can result in them trying to hang on to the person or lashing out in desperate and harmful ways.

Stalking, revenge, self-harm, excessive jealousy, loneliness, the use of or misuse of alcohol and drugs to deal with the pain are all too common.

They talked of themselves as "young people dealing with huge adult feelings" – feelings which are all too often dismissed.

For every 10 young people...

Only 4

have any confidence they could handle a difficult break up.

3

are neutral/ unsure

3

are not confident

By contrast, up to 7 in 10 believe that they can spot harmful behaviours or have their boundaries respected in a relationship.

Source Q2d How confident are you that you could handle these parts of relationships?
Base: All young people post-campaign (n=1,396)

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Breakups are also a dangerous time.

When abuse – and harmful consequences – are heightened.

Sector learning shows that, in any relationship across all ages, a break up is the moment with the highest risk of violence and abuse.

The foundational research showed that young people are both experiencing – and inflicting – serious harm.

> I told him I was leaving him, [he] said he'd kill my whole family, I said I was going to the police, he didn't like that very much, so he hit me straight in the eye which took me out, I was blacked out for about 2 hours.

Foundational research participant

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The answer

Is to stop hurt

> It's a time where you will feel lost, angry, confused, vulnerable, hurt and many other emotions take hold.

Foundational research participant

turning into harm.

> Me personally, I can't move on without getting revenge and destroying the other person's life in the way they broke my heart.

Foundational research participant

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Break ups will hurt – but they shouldn't need to cause damage.

The foundational research with young people identified the difference between hurt and harm – the difference between the pain you feel, and the damage that you inflict on yourself or on others.

Young people told us how unresolved hurt can turn into harm. And that they needed the tools, the confidence and the guidance to help them avoid it.

They also recognise that this could be an experience that allows them to learn and to grow – to get themselves to a better place, both for themselves and for their future relationships.

They also told us that any campaign needed to work in their world. Attention needs to be earned, and authenticity is key.

> There is a big difference between hurt and harm. We all hurt sometimes in facing hard truths, but it makes us grow. It can be the source of huge growth. That is not harmful.
>
> Harm is when you damage someone. Facing reality is usually not a damaging experience, even though it can hurt.
>
> Henry Cloud, American Author
> Background research

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This thinking is reflected in the campaign Theory of Change.

Recognising also that these changes will take time.

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1 Get engagement

It starts with engagement - the campaign needs to be compelling enough to earn their attention.

Immediate impact

2 Deal with hurt

They gain greater ability to deal with hurt. Including:

1. Increasing skills
2. Encouraging help seeking
3. Normalising experiences
4. Dealing with emotions

Short to medium term impact

3 Reduce harm

They avoid harmful effects of breakups, become more adept at avoiding and less prone to inflicting harm.

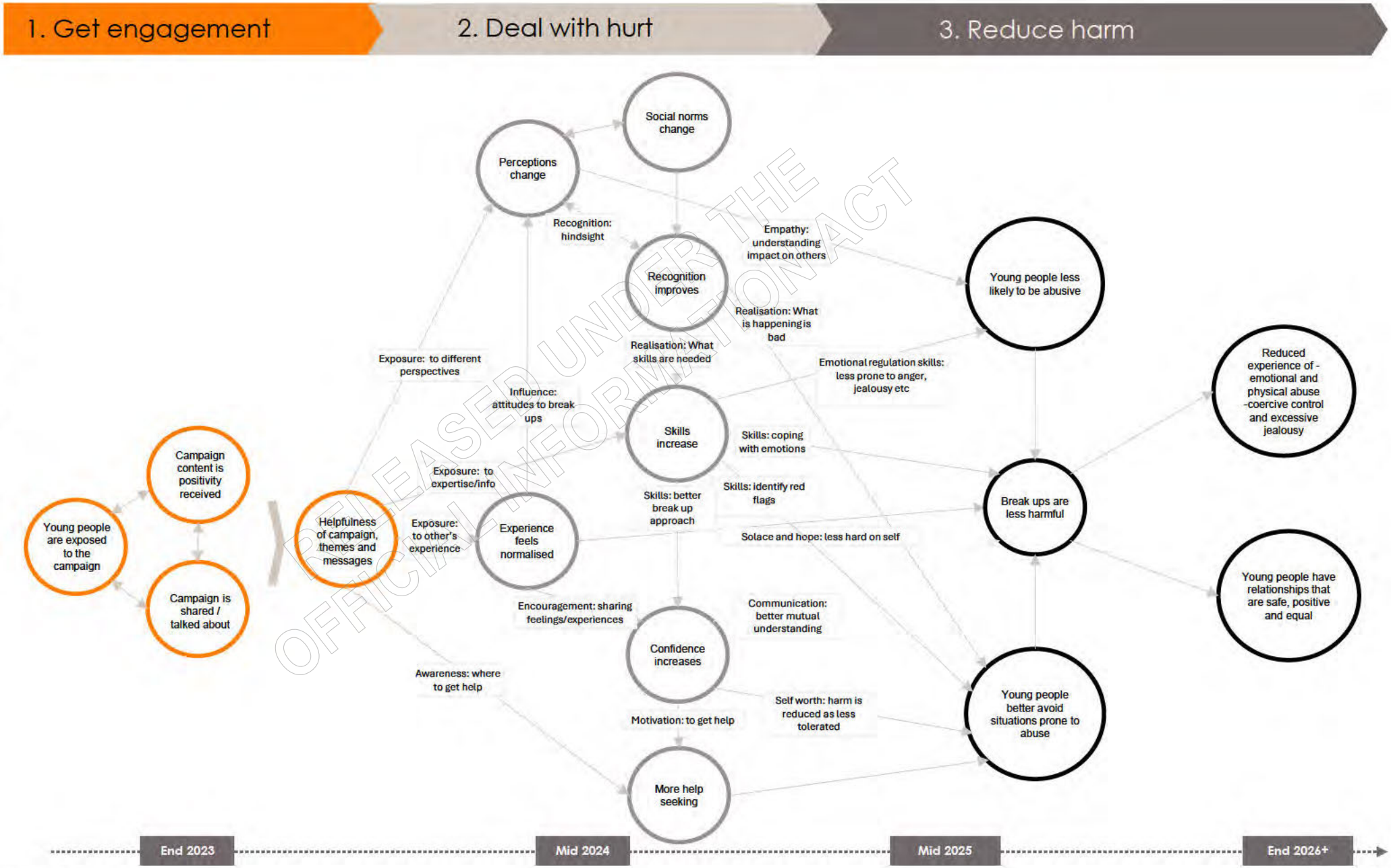
Ultimately, in the long term, leading to more safe, positive and equal relationships.

Medium to long term impact

Detailed Theory of Change

We used the foundational research to draw up a detailed Theory of Change.

This initial Theory of Change was then revised to incorporate insight from the campaign review qual and first wave results from the campaign monitor.



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3

Did the campaign engage young people?

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The campaign has had widespread engagement.

The campaign resonates, appearing to have infiltrated into the world of young people.

Media measurement shows that the campaign reached widespread engagement of young people, achieving (millions):

113 m

Impressions

26.5 m

Engagements

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> I love that all the content seems to be created with young people in mind, so it's not too jargon-y and it's written or spoken about in easy-to-understand language. It's easily digestible and that's what young people need.
>
> 9(2)(a)
>
> Campaign review participant

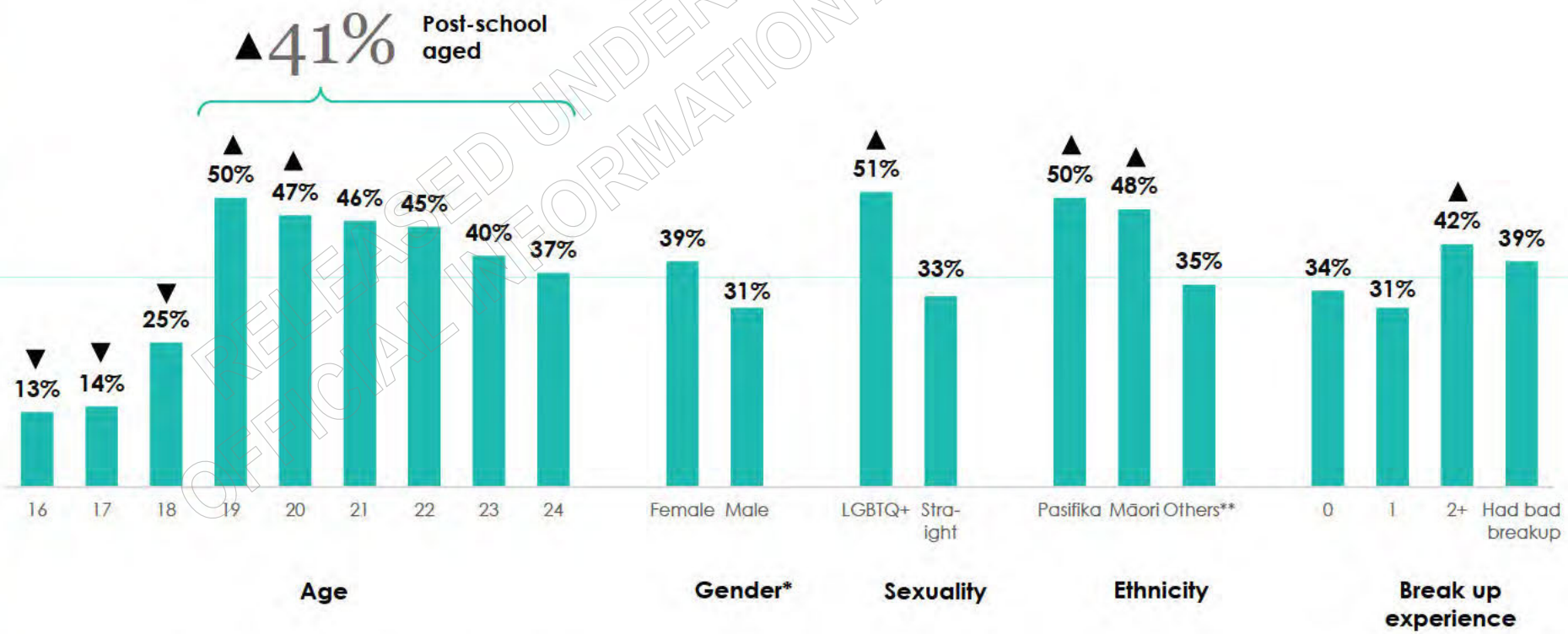
> The creators associated with Love Better campaign have done a great job at capturing the overlooked facets and minutiae of going through a rough break-up and highlighting a lot of things that tend to get overlooked.
>
> 9(2)(a)
>
> Campaign review participant

Over a third of young people recall the campaign.

This rises to nearly one half of young Māori and Pasifika. It has also been especially effective at reaching recent school-leavers and the LGBTQ+ community.

36%

Remember seeing the campaign



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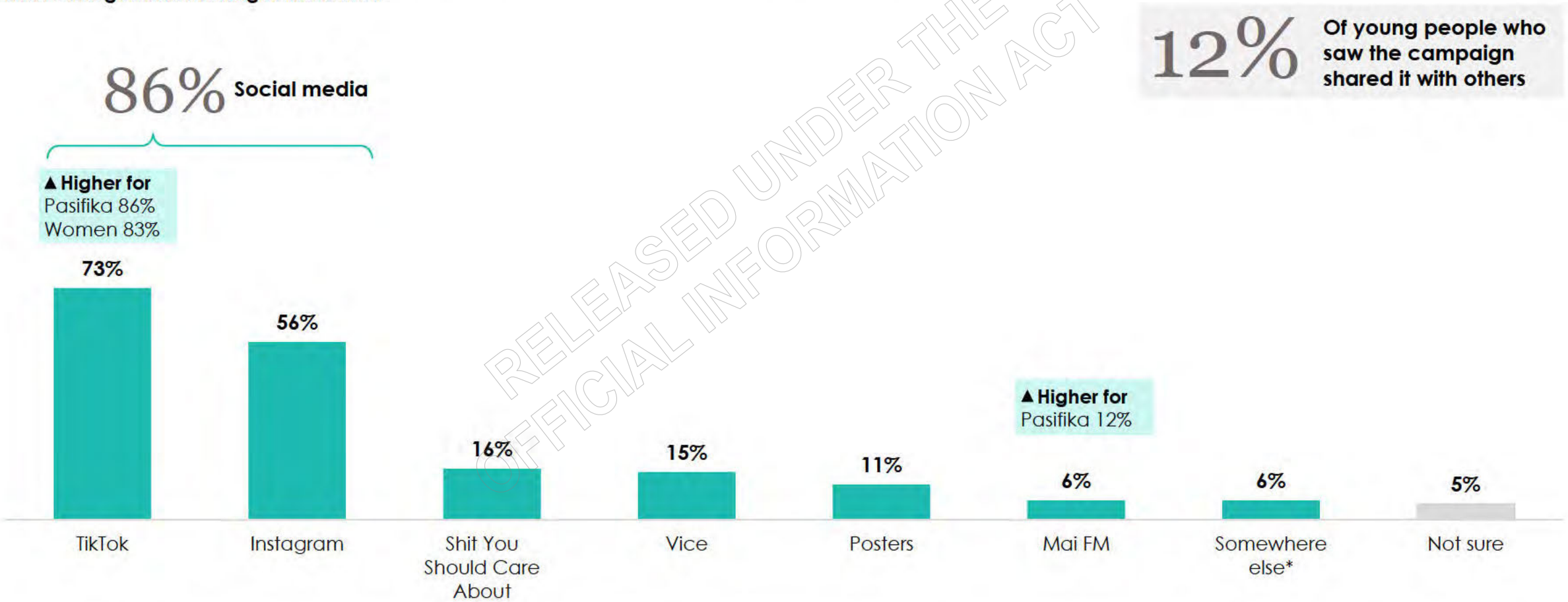
Source: **Q10** Do you remember seeing any of these images, messages or videos (or anything similar) about relationship break ups in the last 6 months?
Base: All young people post-campaign (1,396) *Gender diverse excluded due to small base size. **NZ European/Asian/other ethnic groups size.

Subgroup significantly higher than average ▲
Subgroup significantly lower than average ▼

Social media is the biggest driver of visibility.

TikTok is the shop window for the campaign, particularly amongst women and Pasifika.

Where images and messages were seen



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Source: Q11 Where do you remember seeing or hearing these images, messages or videos in the last 6 months. Q16 Did you talk about/share the ads with anyone?
Base: Those who recall the campaign (579) **Note:** Multiple answers can be selected, so totals may not add to 100%. *Others include YouTube, Coconet etc.

Subgroup significantly higher than average ▲
Subgroup significantly lower than average ▼

Different channels have had different impacts and different roles.

Qualitative feedback shows that different channels don't merely just relate to different audiences, they also provide for a different variety of experiences.

TikTok

Drives exposure through visibility and entertainment

Drives normalisation through other's experience

Provides solace

However

'Skimmable'

Less reflective

"I found the TikTok page very engaging, as it supplied shorter bursts of information (which appeals to a younger audience) and combines humour and real-life stories to exert a real and dramatic yet humorous approach to a deep and serious topic."

9(2)(a)

Campaign review participant

Vice

Drives learning through curiosity and expertise

Provides informative, practical guidance

More likely to be consumed by those who are less active on Tik Tok

However

'Discoverability' lower

"The article that resonated with me the most was the 'people tell us what they did to stay happy after being broken up with' and this was because it offered real-life experience and informative messages around a situation that's very hard to navigate."

9(2)(a)

Campaign review participant

Shit You Should Care About podcasts

Drives alternative perspectives through immersion

Dynamic presentation

However

High effort

Niche format

"This content is really entertaining; it's just upsetting I haven't heard of this before!"

9(2)(a)

Campaign review participant

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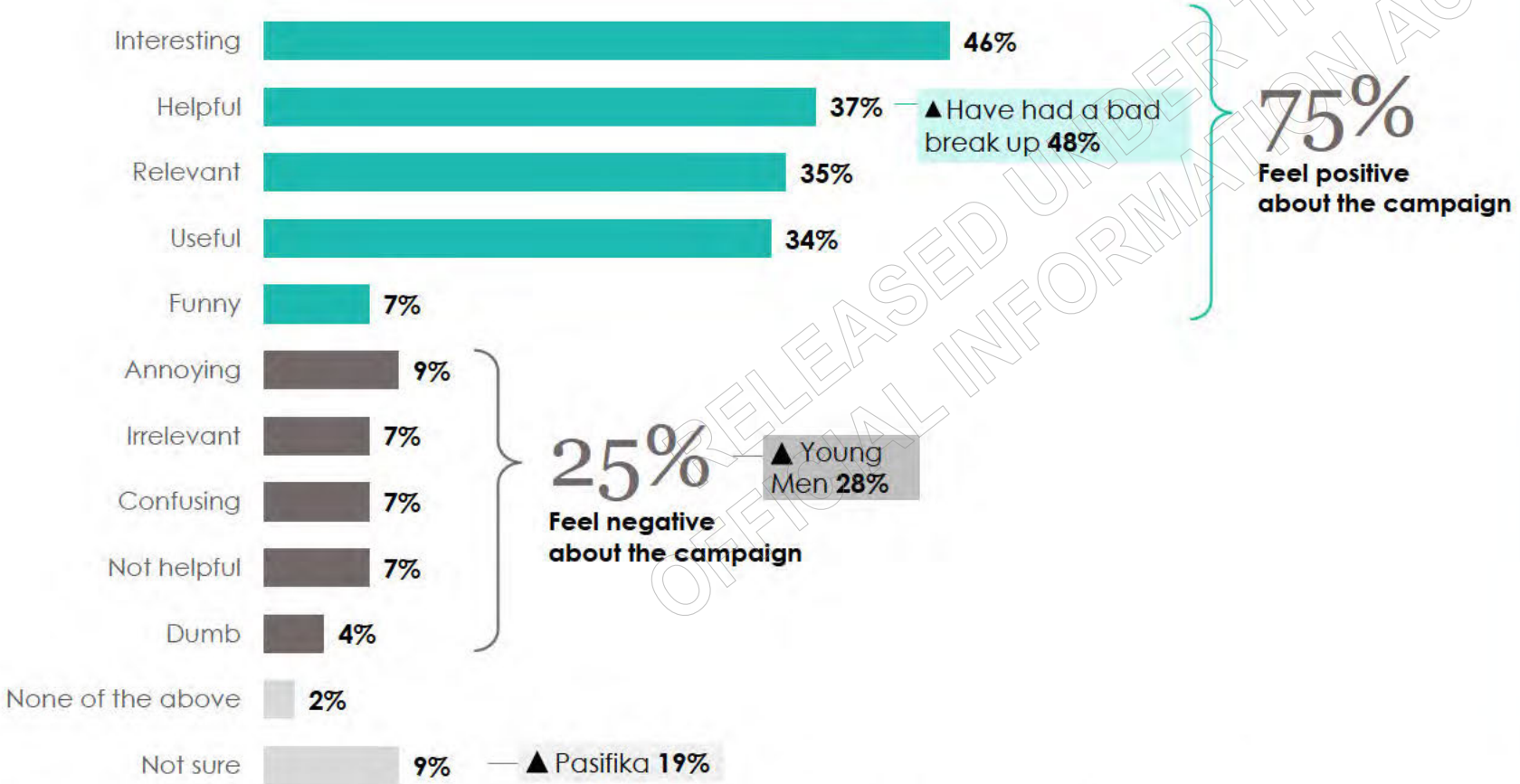
Most young people like and appreciate the campaign.

The campaign appears to be resonating with those who need it, with young people who've had hard break ups particularly finding it helpful. There is still scope to develop with amongst young men who are somewhat more ambivalent.

Sentiment towards the campaign



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> "I think the content is great, it hits right where it needs to and is completely relatable for youth.
>
> 9(2)(a)
>
> Campaign review participant

Source: Q13. How would you describe the ads? Select up to 3. **Base:** Young people who recall seeing the campaign (579)
Note: Multiple can be selected, so totals may not add to 100%

Subgroup significantly higher than average ▲

4

Did the campaign help young people deal with hurt?

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"It definitely made me feel good and less lonely. It would definitely have changed my mood, feelings and actions. It would have been awesome to have had those Tik Toks during my breakup phase of loneliness."

9(2)(a)

Campaign review participant

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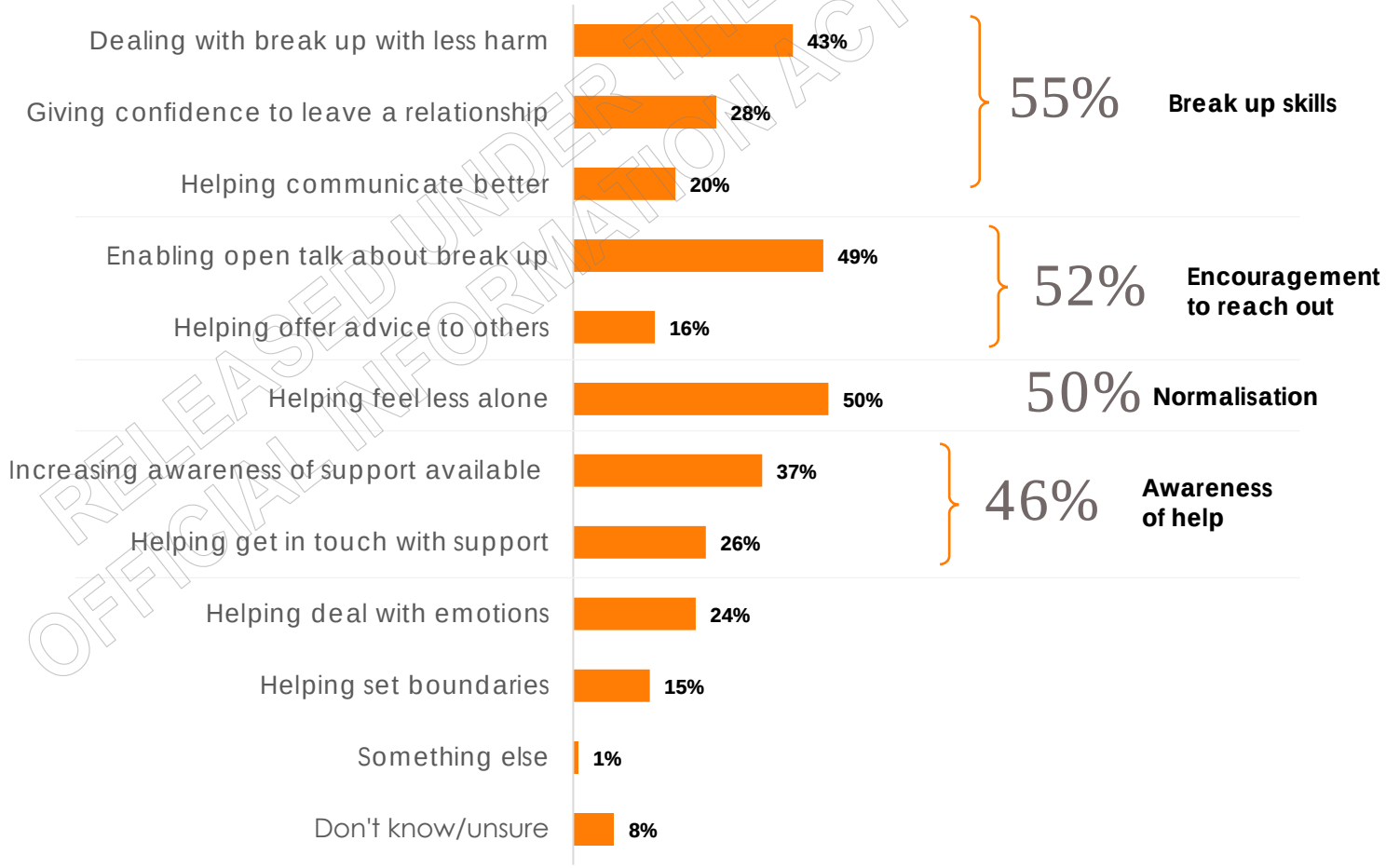
Half of young people who've seen the campaign think it's helpful.

They most often see the value in providing break up skills, normalisation of the experience and encouragement/awareness to seek help.

50%

Of young people who've seen the campaign think it's helpful.

The campaign is seen as helpful for...*



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Source: **Q14** How helpful do you think these types of ads are? **Q15** How was it helpful? **Base:** Young people who recall seeing the campaign (579).
Note: *Multiple can be selected, so totals may not add to 100%

The campaign makes breakups less lonesome.

One way the campaign works is through making the experience more normalised, which reduces feelings of hurt.

The qualitative campaign review showed that bringing light to experiences and conversations that are not always visible is felt to be impactful and positive in a number of ways:

- It brings hope that they will get through it.
- It brings comfort that there is support.
- It destigmatises heart break and encourages conversation.
- It makes people feel less isolated in their experiences as a result.

The mental health impacts were mentioned by many. For them, helping them cope with their experience makes them less hard on themselves, and difficult/hurtful experiences easier to wear.

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50% Think the campaign is helpful by **making people feel less alone.**

> The content made me feel welcomed and normal, to know I'm not the only one who's experienced these things.
>
> 9(2)(a)
>
> Campaign review participant

Source: **Q15** How was [the campaign] helpful?
Base: Young people that recall the campaign (579).

The campaign gives young people break up skills.

With no current 'handbook' on how to break up, Love Better provides the closest thing.

The qualitative review found young people value content that helped them handle and cope with challenging situations.

This included both identifying red flags/toxic behaviour and how to do things better.

In a few cases, this led to young people saying they would be better able to avoid situations in which they could be subject to harmful behaviours.

Different perspectives are also valuable. The feedback gives some evidence to suggest that exposure to different perspectives can create reflection – helping young people better understand the reality of their situation, and, in a few cases, prompting a degree of empathy by better appreciating the impact of their actions on other people.

55% Think the campaign is helpful in **dealing with break ups**, giving **confidence** to leave or **communicating** better.

> The content made me feel more understanding with people's emotions and insecurities within an unhealthy relationship in a small place. Especially hearing from other people's point of view.

9(2)(a)

Campaign review participant

Source: **Q15** How was [the campaign] helpful?
Base: Young people that recall the campaign (579).

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The campaign encourages young people to seek help.

Normalising talking and help seeking by reducing stigma.

The campaign seems to have the ability to encourage young people to talk about their relationship struggles by reducing the stigma around talking about them.

This coincides with a significant unmet need identified in the foundational research about communication in relationships – and particularly how to better communicate with one another.

Some young people also connected the helpfulness of the campaign with widely recognised mental health issues, through managing emotions and showcasing self care.

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52% Think the campaign helps by **encouraging young people to reach out.**

46% Think the campaign helps by **showing *how* to reach out.**

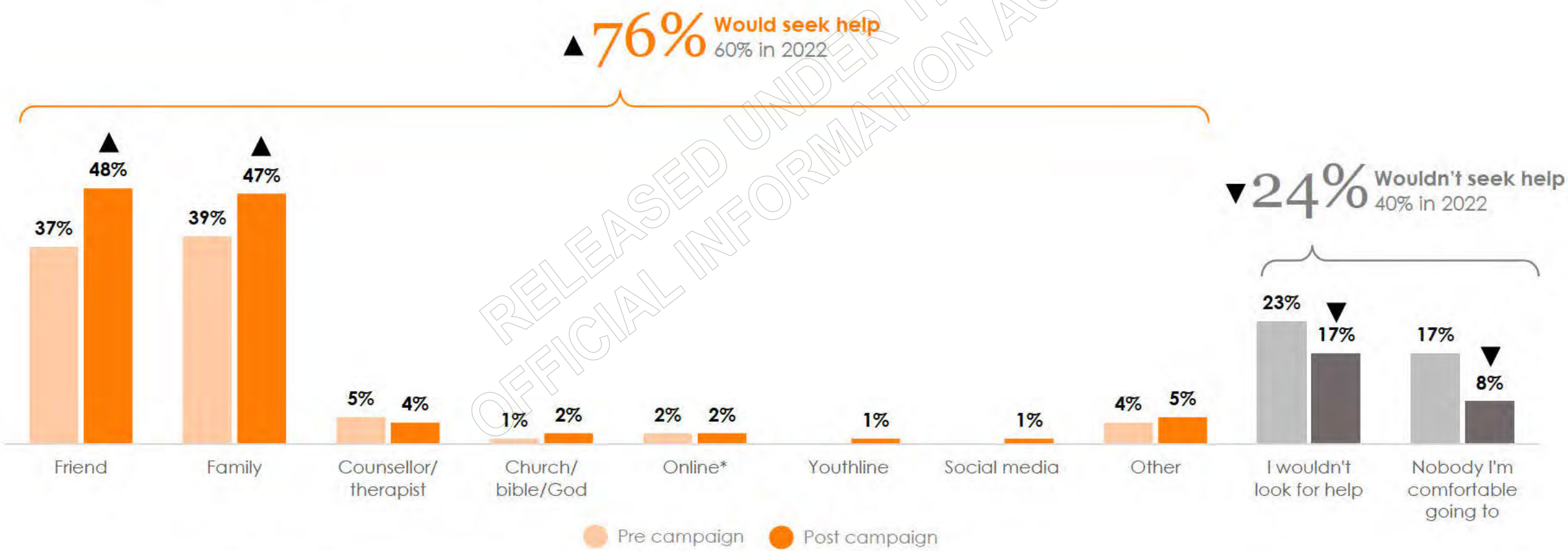
> The content always shows people having meaningful conversations surrounding these topics and I think that that encourages people to do the same, as in the content it is portrayed as being healthy and helpful.
>
> 9(2)(a)
>
> Campaign review participant

Source: **Q15** How was [the campaign] helpful?
Base: Young people that recall the campaign (579).

Young people are increasingly willing to ask for help with break up difficulties.

Fewer young people are saying they wouldn't seek help at all or that they have nobody they can go to. Friends and family are becoming more of a source of support than before.

Sources of help/advice when going through a bad break up



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Source: Q8. Who would you go to or where would you look for help or advice if you were going through a bad break up?
Base: All young people (782 pre-campaign, 1,396 post-campaign) **Note:** Multiple can be selected, so totals may not add to 100% *Not specified where online

Significantly higher than previous survey ▲
Significantly lower than previous survey ▼

They are also much more aware of how to find help.

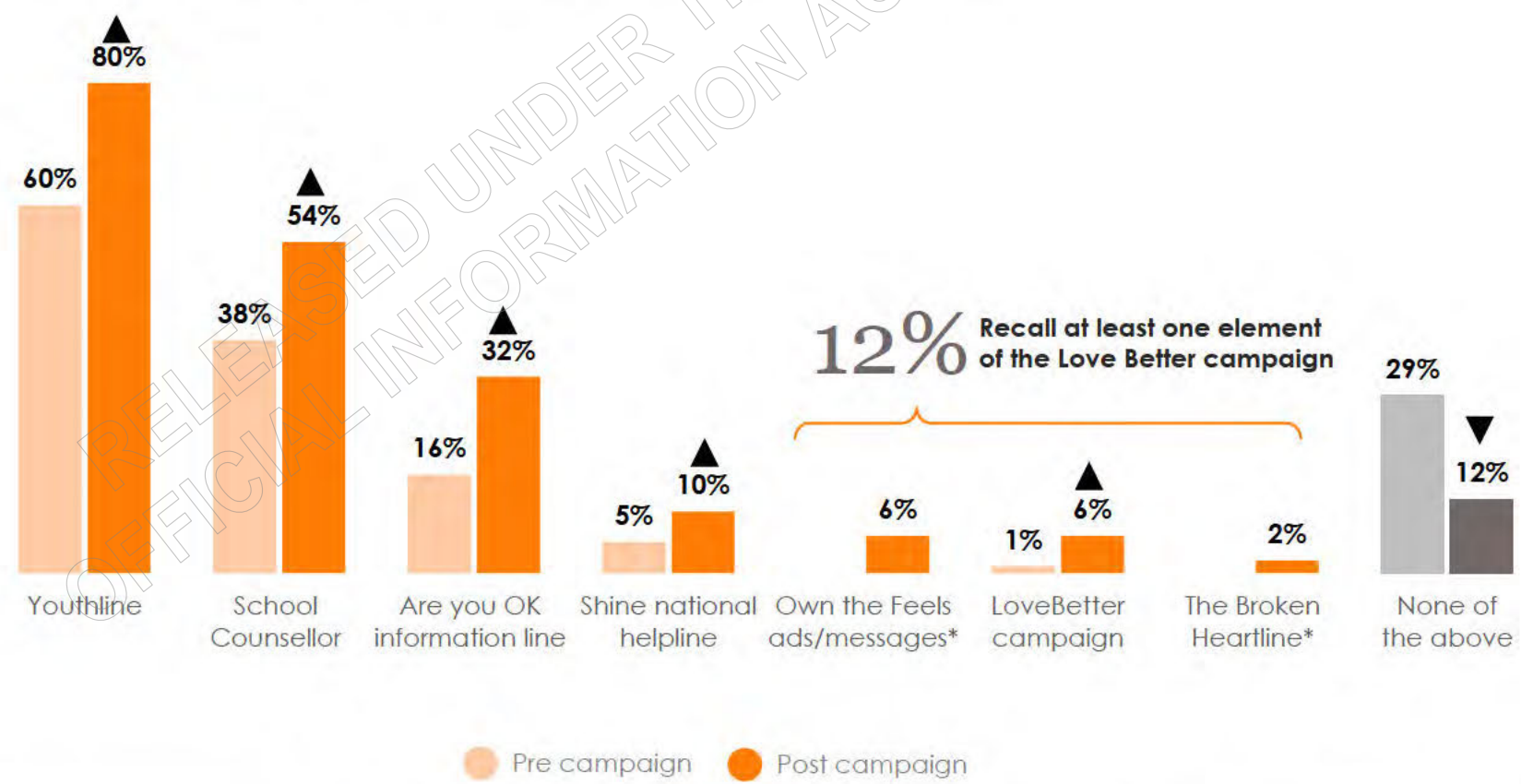
The number who have no awareness of any services has dropped dramatically. And the Love Better campaign is building awareness as a resource for young people.

▲87%

Are aware of least one source of help/information

71% in 2022

Services young people know about to help with difficult relationships/break ups



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Source: Q9. Before today, which of the following have you seen or heard of? **Base:** All young people (782 pre-campaign, 1,396 post-campaign)
Note: Multiple can be selected, so totals may not add to 100% *Not asked pre-campaign

Significantly higher than previous survey ▲
Significantly lower than previous survey ▼

The campaign might be touching upon 'big emotions'.

Dealing with 'adult sized emotions' is challenging for young people, and the campaign goes some way to help.

Foundational research told us that hurt is almost an inevitable (and unavoidable) part of a breakup, because emotions are always present... and most young people have an inability to express tricky emotions in a constructive way.

The qualitative review showed the value of Love Better content that helped young people cope with the emotional impact of break ups.

This could make the break up less hurtful for themselves, but other comments also pointed to the possibility that this content could help with outwardly directed emotions (jealousy, anger etc) which could have the potential to reduce their own harmful behaviours.

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24% Think the campaign is helpful for **dealing with emotions.**

"I think I would have handled it better in terms of dealing with anger and emotions because if I had this content, I wouldn't have attempted things I regret.

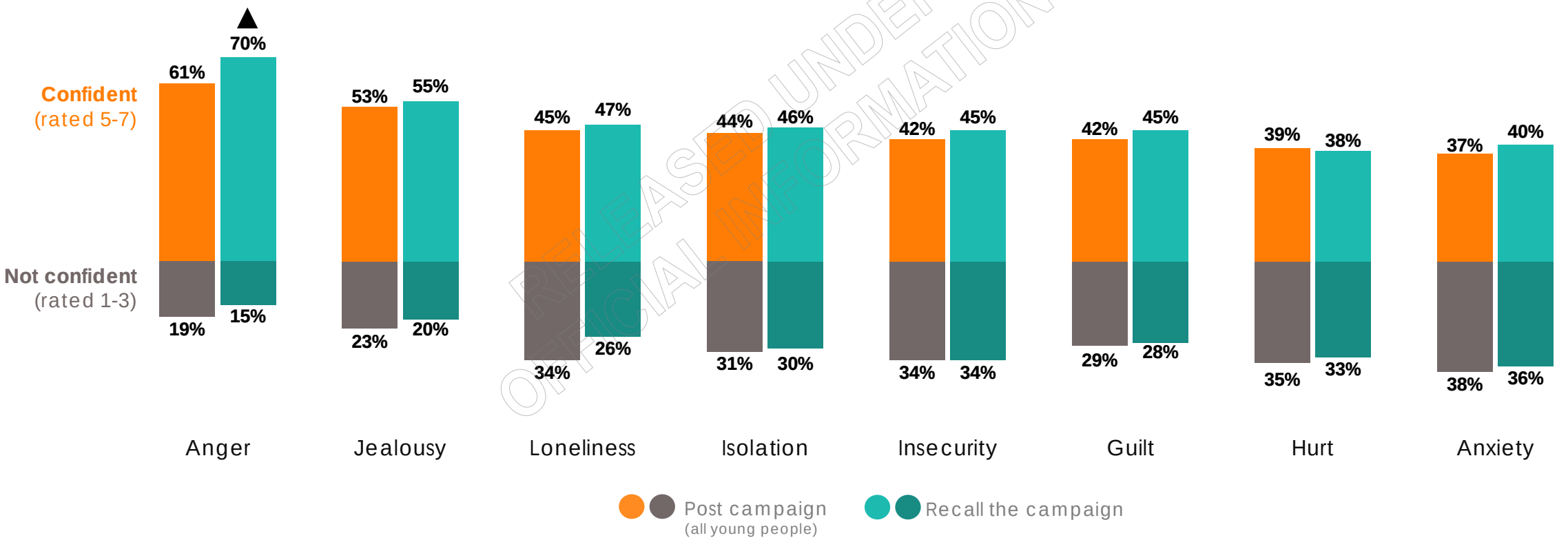
9(2)(a)

Campaign review participant

Source: **Q15** How was [the campaign] helpful?
Base: Young people that recall the campaign (579).

Young people who've seen the campaign are more confident handling 'big emotions' like anger.

Confidence handling emotions in a relationship



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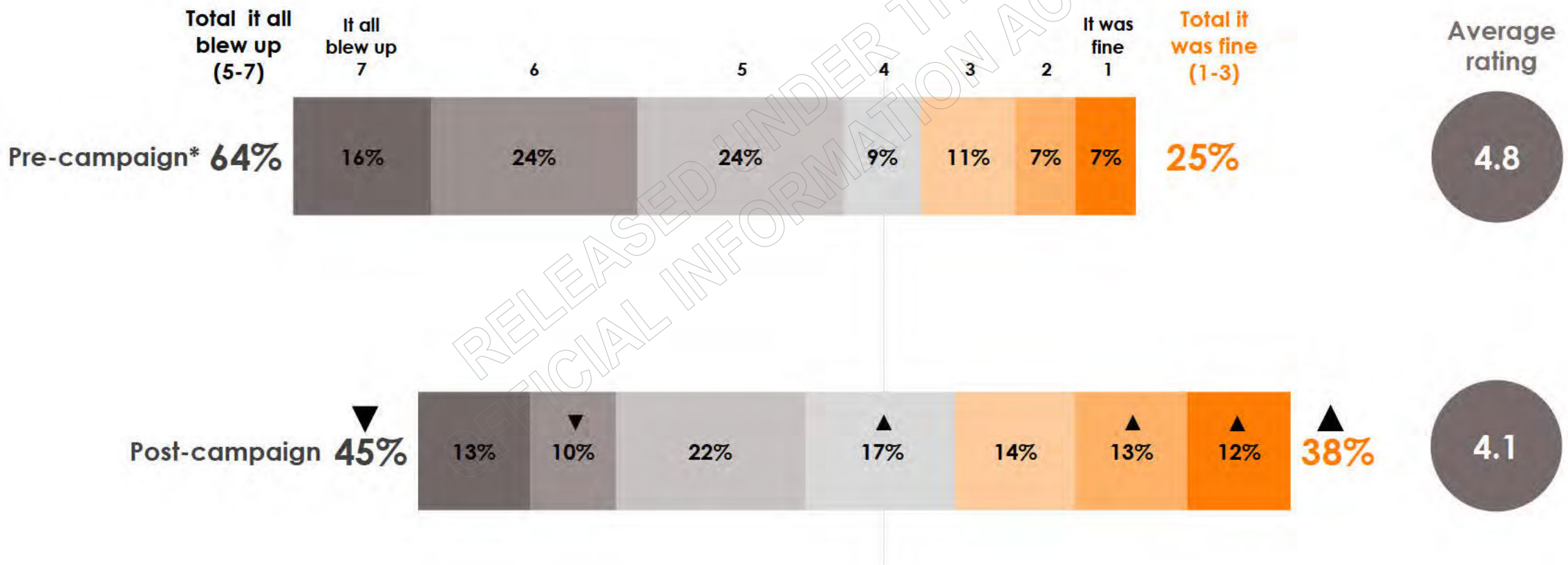
Source: Q2c How confident are you that you could handle the following feelings in a relationship? **Base:** All young people post-campaign (1,396)
Note: Totals may not add to 100% due to rounding. Not showing those in the middle who are somewhat confident, or those who don't know

Significantly more confident than average ▲

Fewer young people are reporting a break up where 'it all blew up'.

Indicating that young people may be becoming more resilient and better able to cope.

Experience during a break up



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Source: Q3 - When you were going through your [break up/worst break up], how bad did it get for you?
Base: All young people who have been through a break up (487 pre-campaign, 841 post-campaign) **Note:** Totals may not add to 100% due to rounding *2% don't know

▲ Significantly higher than previous survey
▼ Significantly lower than previous survey

Love Better may have started to shift societal expectations.

Particularly around how break ups are perceived, and what is acceptable.

We learnt in the foundational research that a breakup is not made easier by the unhelpful things that society tells young people. The language of break ups is one of failure, rejection and power – e.g. being 'dumped'.

The cliché that 'to get over one person, you need to get under someone else' contributes to a sense that society diminishes the impact of big emotions in young people.

Attitudes to break ups can also legitimise vengeful actions – that bad behaviours are an accepted consequence of a break up.

> It would have been so helpful, especially knowing that we had access to this sort of content. When you experience a very toxic break up it's hard to engage with others in terms of questions and answers. It's like "break up and deal with it" - harsh but true.
>
> 9(2)(a)
>
> Campaign review participant

> The biggest misconception young people are taught is "To get over someone, you have to get under someone".
>
> Foundational research participant

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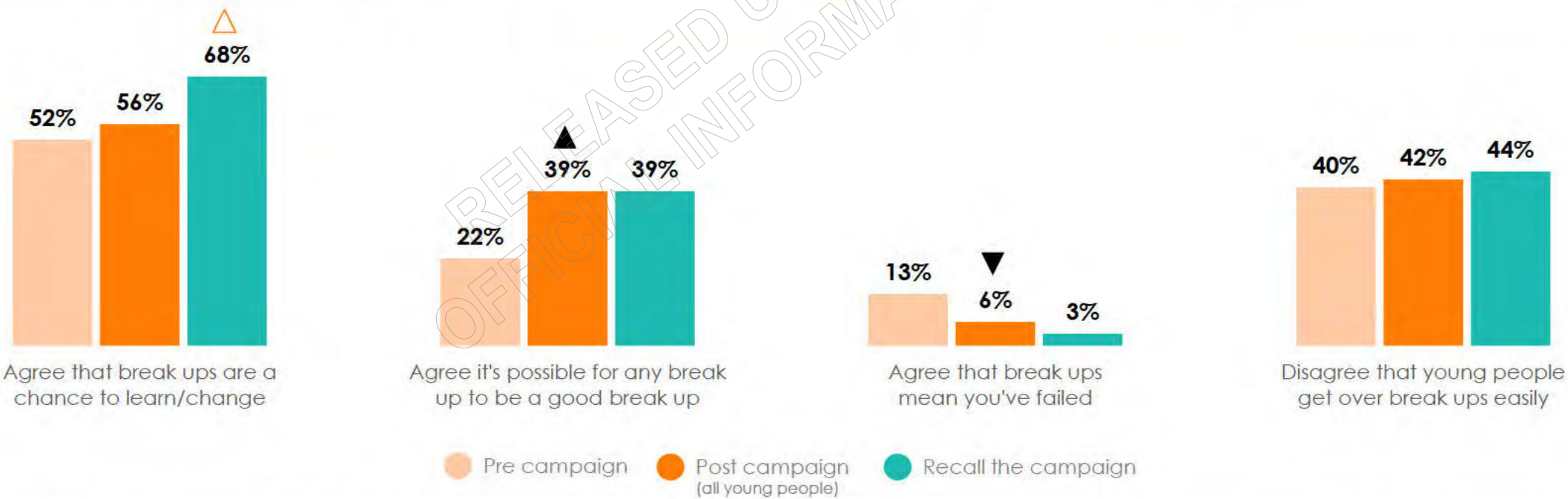
The societal responses pinpointed in the foundational research are changing.

Increasingly, young people recognise break ups as a chance for growth, and are less of a sign of failure or something to be brushed off easily.

Attitudes towards break ups and relationships

1. Over half agree that **break ups are a chance to learn**
2. Significantly more young people now believe **break ups don't have to be bad**
3. Significantly fewer young people are saying **breakups are a sign of failure**
4. About two in five are not **brushing off break ups**



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Source Q7 How much do you personally agree or disagree that... **Base:** All young people (782 pre-campaign, 1,396 post-campaign)
Note: Totals may not add to 100% due to rounding. Excludes don't know responses.

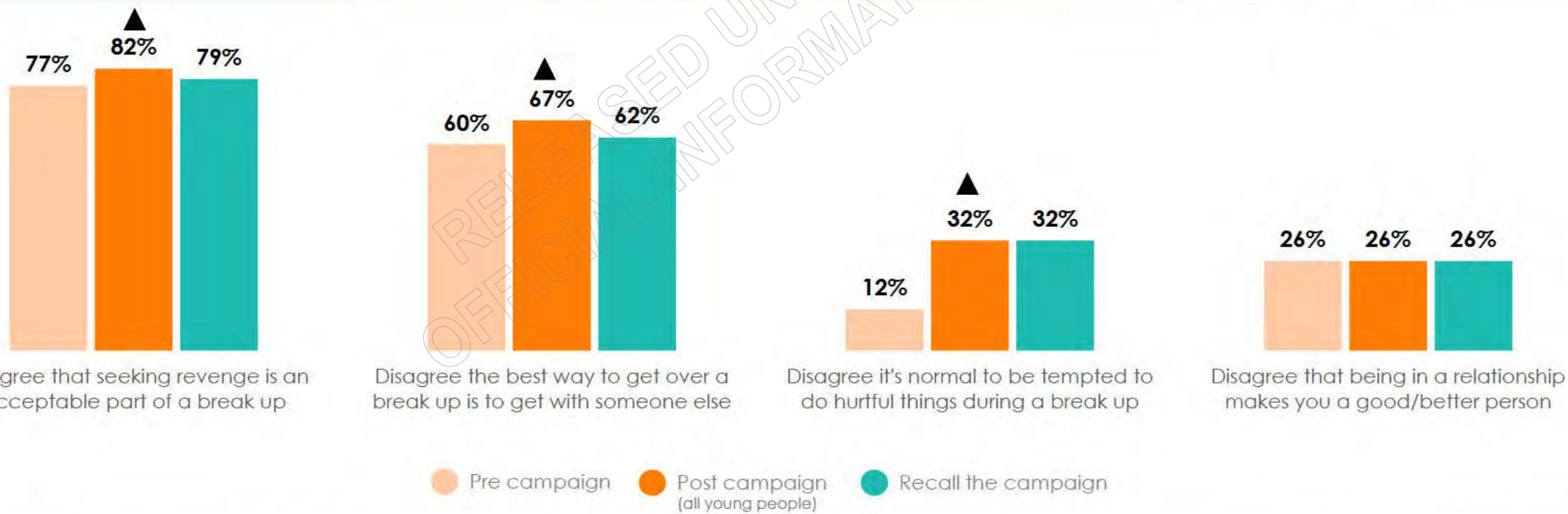
Significantly higher agree/lower disagree than previous survey ▲
Significantly higher agree/lower disagree than average △

Ideas around what's unacceptable in a breakup have improved since the campaign.

Especially an unwillingness to accept revenge or other hurtful actions.

Attitudes towards break ups and relationships

1. Significantly more young people are saying **revenge is not acceptable**
2. Significantly fewer young people think **getting with someone else** is the best way to get over one
3. Significantly fewer young people think **it's normal to do hurtful things**
4. About the same number think being in a relationship makes you a better person



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Source Q7 How much do you personally agree or disagree that... **Base:** All young people (782 pre-campaign, 1,396 post-campaign)
Note: Totals may not add to 100% due to rounding. Excludes don't know responses.

Significantly higher agree/lower disagree than previous survey ▲
Significantly higher agree/lower disagree than average △

5

Is the campaign making an impact on harm?

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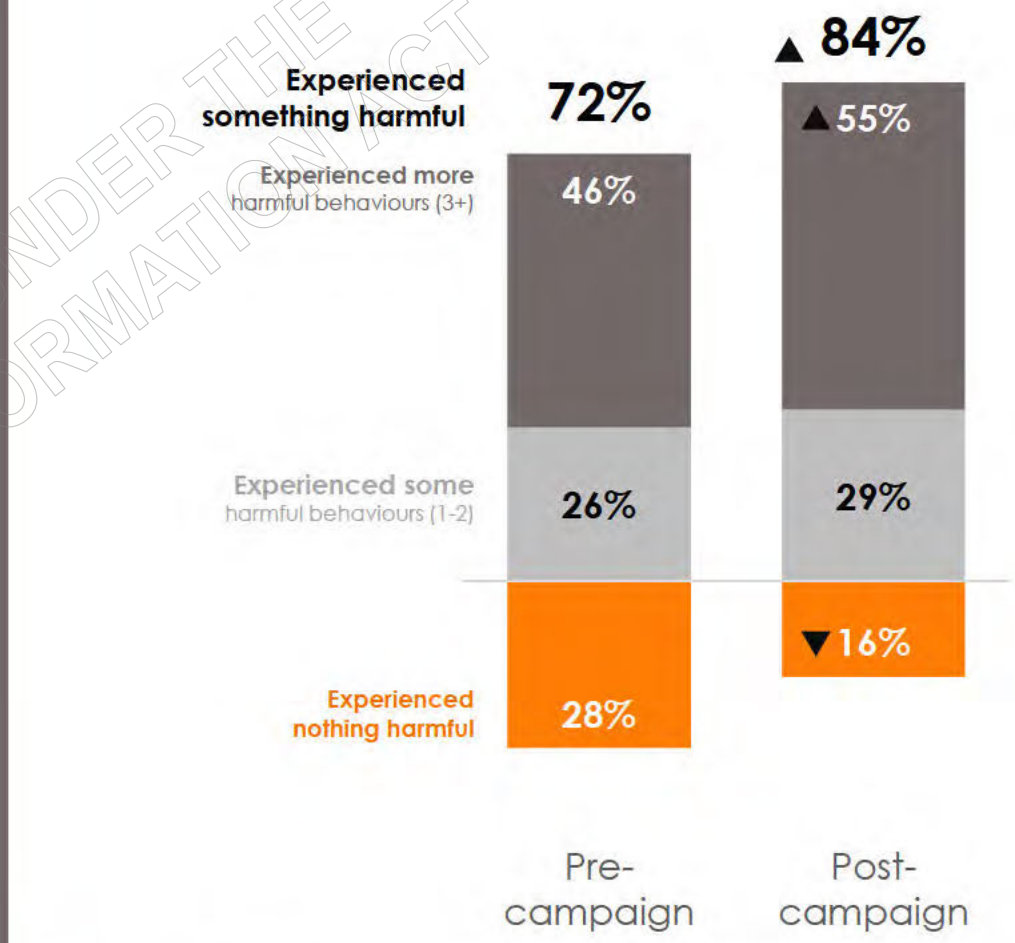
At a topline level, harm in a breakup is increasing.

Over four in five young people experience some sort of harmful behaviour in a breakup.

In the year since the benchmark, more young people are reporting harm during a breakup.

However, the increase in reported harm is quite likely to be a positive indication that young people are improving their skills in recognising and labelling their experiences as harm.

There is a substantial increase in the number of young people reporting multiple harmful behaviours, potentially pointing to a greater ability amongst young people to identify these behaviours.



Source: Q5. During, or as a result of your (most recent) break up, did you or your partner do this?
Base: Young people who have experienced a break up ((782 pre-campaign, 1,396 post-campaign)
▲/▼ Significantly more likely to recognise harmful behaviours than the previous survey

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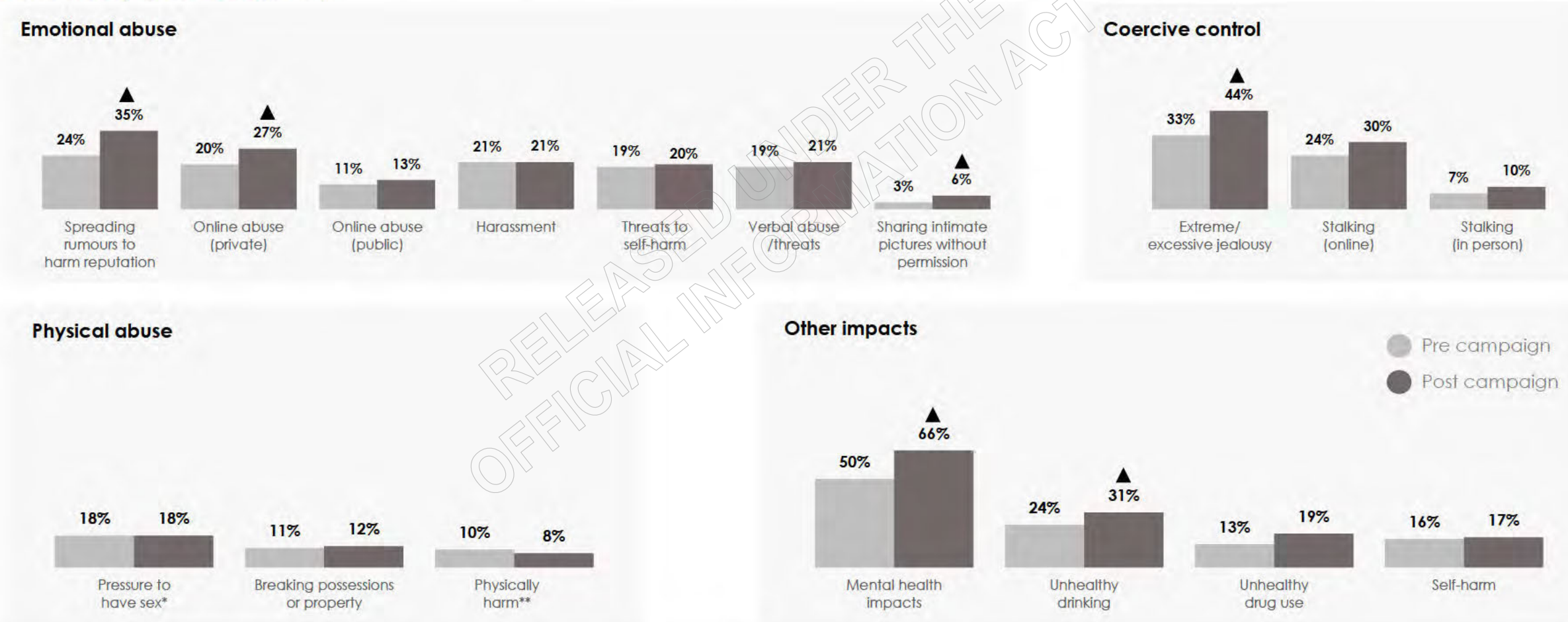
The definition of 'harm' seems to be expanding.

We are seeing significant increases particularly in mental health impacts and also excessive jealousy, reputational and online harm,. 'Archetypical' forms of harm (physical, harassment, threats) are stable.

Behaviour experienced in break up



Source: Q5. During, or as a result of your (most recent) break up, did you or your partner do this? **Base:** Young people who've experienced a break up (782 pre-campaign, 1,396 post-campaign) *After the break up/to try and stop a break up. **e.g. Punching, pushing, slapping

▲ Significantly more likely to recognise harmful behaviours than the previous survey

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Qual evidence shows that the campaign provokes recognition.

This may be contributing to a greater understanding and recognition of past harm.

Qualitative feedback showed the ability of the campaign content to prompt reflection around hurtful situations and harmful behaviours.

The perspectives offered by the campaign content allowed some young people to identify and come to terms with the experience of what has happened to them.

In essence, it can lead to a path of realisation – realisation of the realities of their situation (often for the worst), and/or realisation of what they need to learn.

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> One article that resonated with me was 'What's the difference between boundaries and controlling behaviour'. It highlighted issues which I have faced with some relationships in the past and I have now realised how controlling they were.

9(2)(a)

Campaign review participant

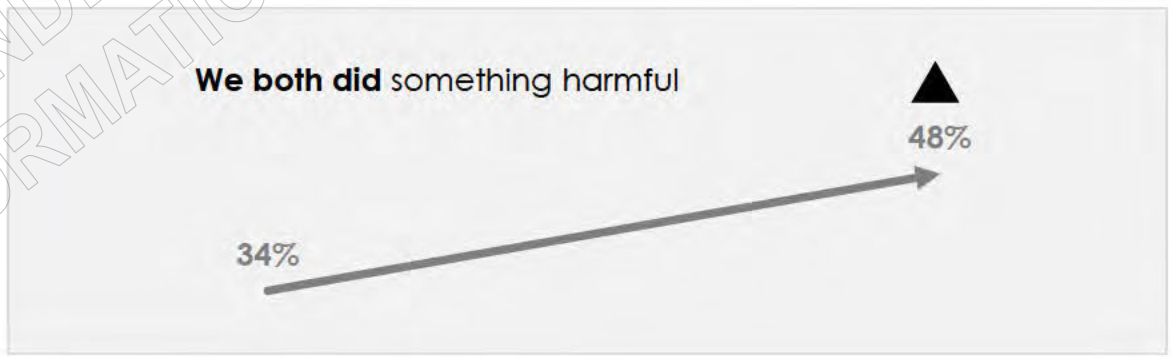
There is movement in admittance of harm.

When we look at 'who did what' harm during break up, an interesting pattern is emerging.

Consistent with the increased reporting of harm overall, we are seeing a significant increase in the number of young people who say their partner did something harmful during a breakup.

But interestingly, a larger increase has been amongst people that recognise that both they themselves and their partner did something harmful. This could be a sign that young people are increasingly recognising their own part in causing harm.

Alongside this we have also observed a slight rise in people saying they did something harmful, though this is not significant.



Source Base: **Q5.** During, or as a result of your (most recent) break up, did you or your partner do this?
Young people who have experienced a break up (487 pre-campaign, 1,109 post-campaign)
▲ Significantly higher than the previous survey

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"I was a toxic k*nt. I really didn't care much about making our relationship better... At the time I thought it was all good. Obviously not."

9(2)(a)

Campaign review participant

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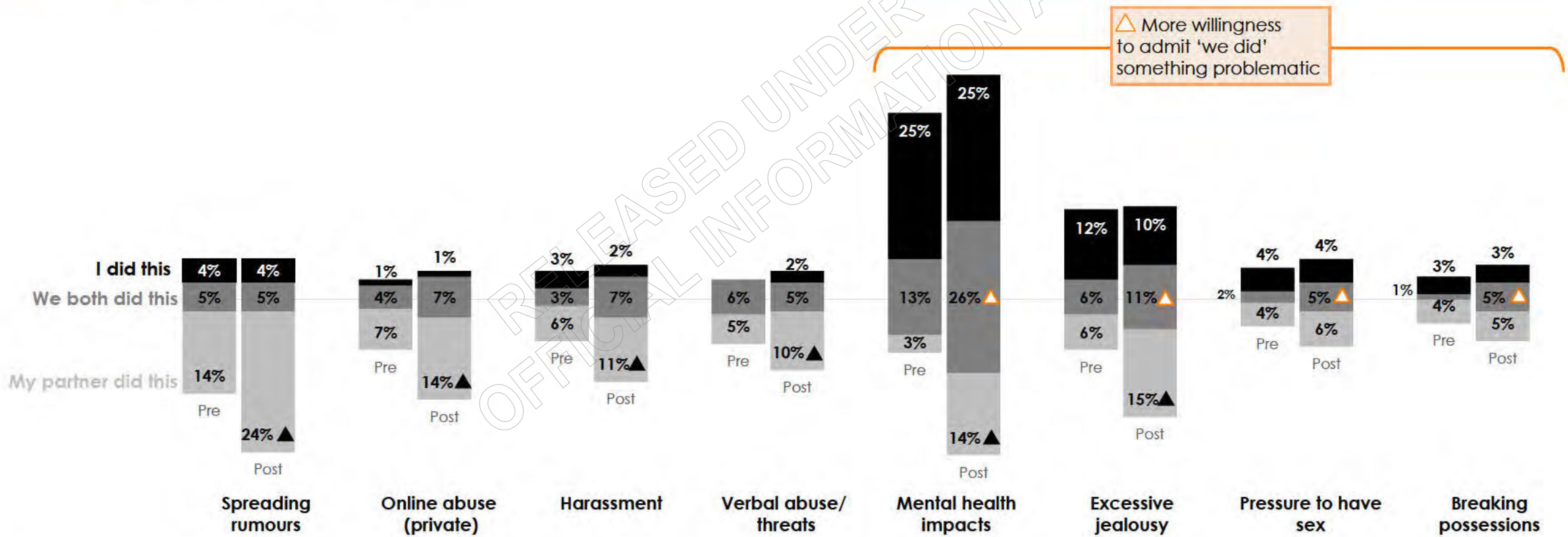
Young men are starting on the road towards more self-reflection.

They increasingly recognise mental health impacts, especially in others. They're also starting to admit to more outwardly problematic behaviours like pressure for sex or damaging property.

Men's **increased recognition of harmful experiences in break ups**



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Source: Q5. During, or as a result of your (most recent) break up, did you or your partner do this?
Base: Young men people who've experienced a break up (234 pre-campaign, 408 post-campaign)

Significantly more likely than previous survey to say... ▲ I did △ We did ▲ They did

"It's a really captivating space to be in, it somehow took me on a journey back to times when I was in a relationship. My mind is soooo much more conscious around these topics now. I felt odd actually 😂 Like, when you realise that some of the red flags could have been you once upon a time. 😂"

9(2)(a)

Campaign review participant

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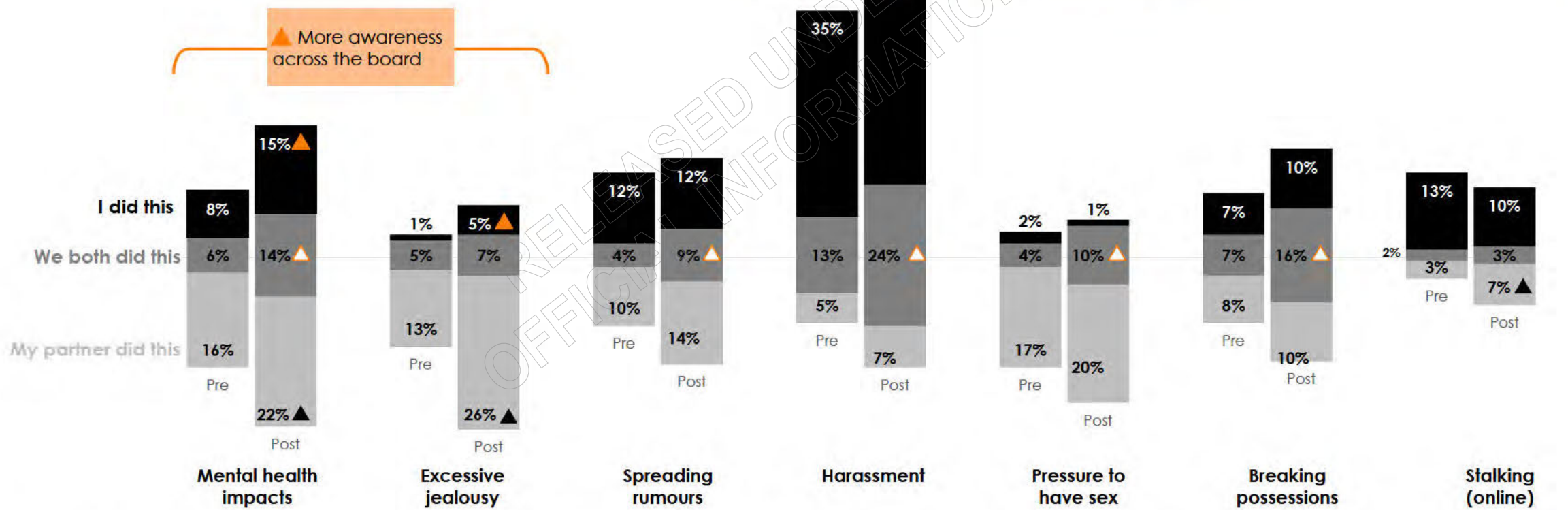
Young women are slightly further along the road towards self-reflection.

They too increasingly recognise mental health impacts and jealously, alongside pressuring for sex or breaking possessions. They are much more likely to report experiencing harassment and rumour spreading than men.

Women's **increased recognition of harmful experiences in break ups**



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Source: Q5. During, or as a result of your (most recent) break up, did you or your partner do this?
Base: Young men people who've experienced a break up (258 pre-campaign, 409 post-campaign)

Significantly more likely than previous survey to say... △ I did △ We did ▲ They did

Impacts on harm in relationships outside of break ups are still to be seen.

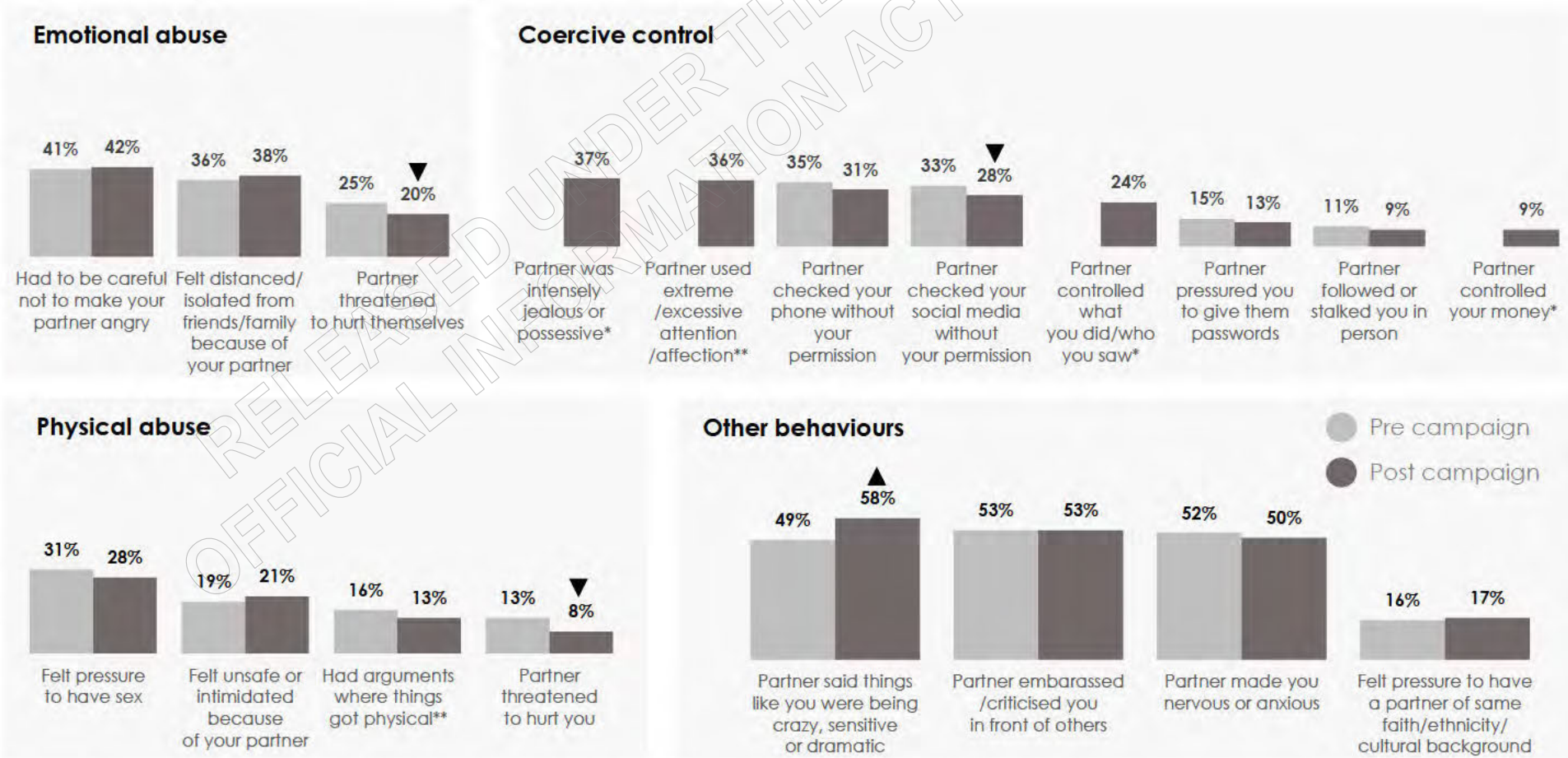
Changes to harmful behaviours in relationships have yet to show through. Given the pattern we have seen with break up harm, they may increase as recognition of abuse increases.

85%

Have experienced at least one harmful behaviour in a relationship

87% in 2022

Harmful behaviour experienced in relationship



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Source: Q6 How often have you had the following happen to you in your past or current relationships? **Base:** Young people who have had at least one relationship(622 pre-campaign, 1,109 post-campaign) *Question not asked in 2022, **e.g. Punching, pushing, slapping.

Significantly higher than previous survey ▲
Significantly lower than previous survey ▼

6

What does this mean for youth relationships into the future?

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Young people are nudging towards being more confident about future break ups.

Particularly those who have seen the campaign

Young people – whilst still not exactly confident about handling future break ups – are becoming significantly less unconfident about the challenges therein.

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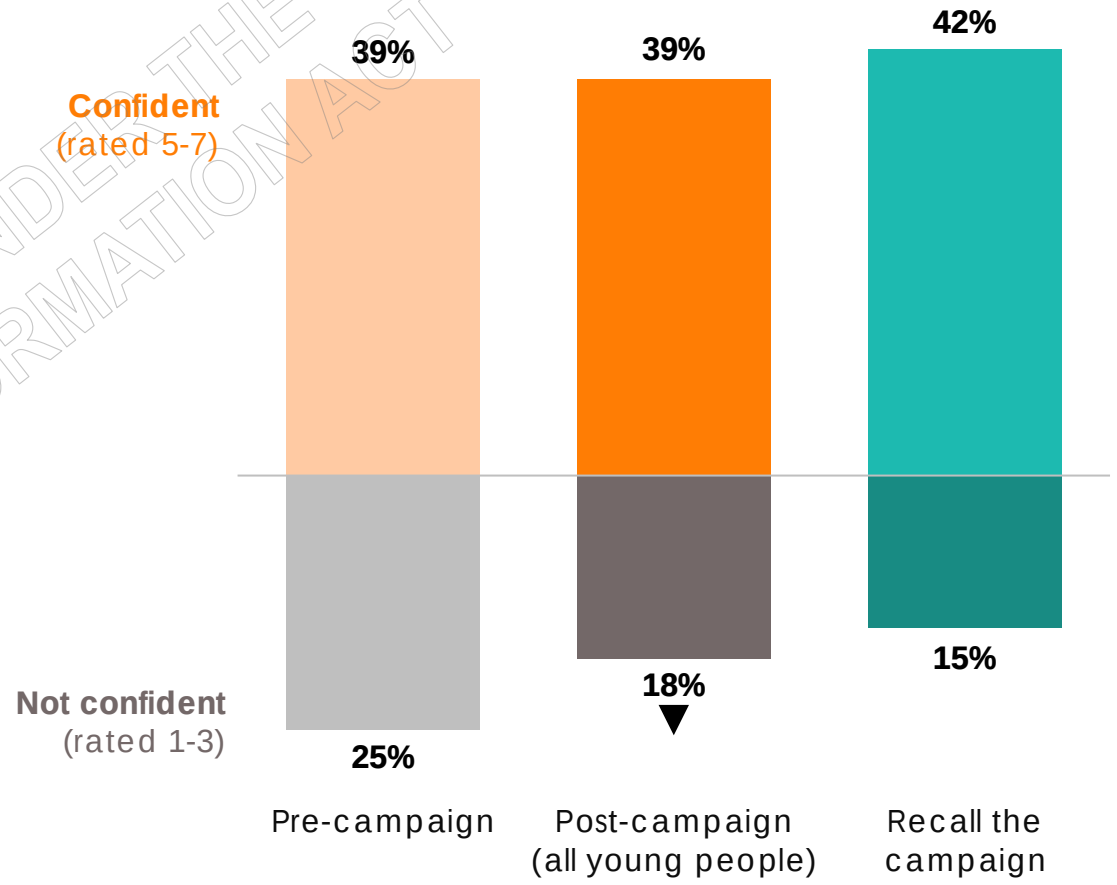
Confidence in ending a future relationship

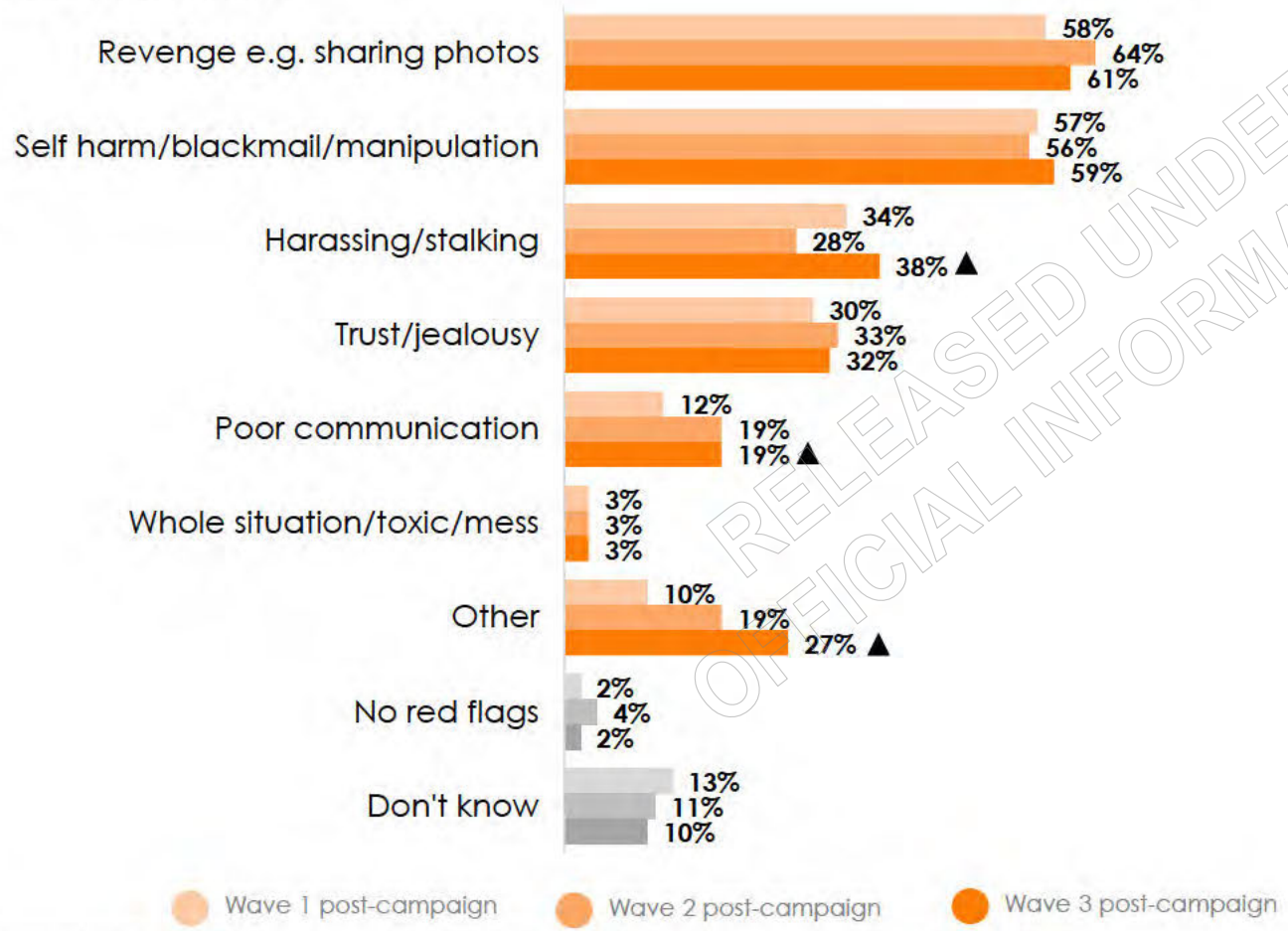


Source: **Q4** How confident are you that you could end the relationship in a way that is not harmful to anyone?
Base: All young people (782 pre-campaign, 1,396 post-campaign).
▲Significantly more confident than previous survey.

Young people are also becoming more nuanced readers of tricky scenarios.

Their response to a fictious break up scenario shows that the number of red flags they are spotting is moving beyond obvious red flags like revenge and manipulation.

Red flags identified:



> Made me feel good that I now know what is a red flag in a relationship & knowing what to do when it happens.
>
> s9(2)(a)

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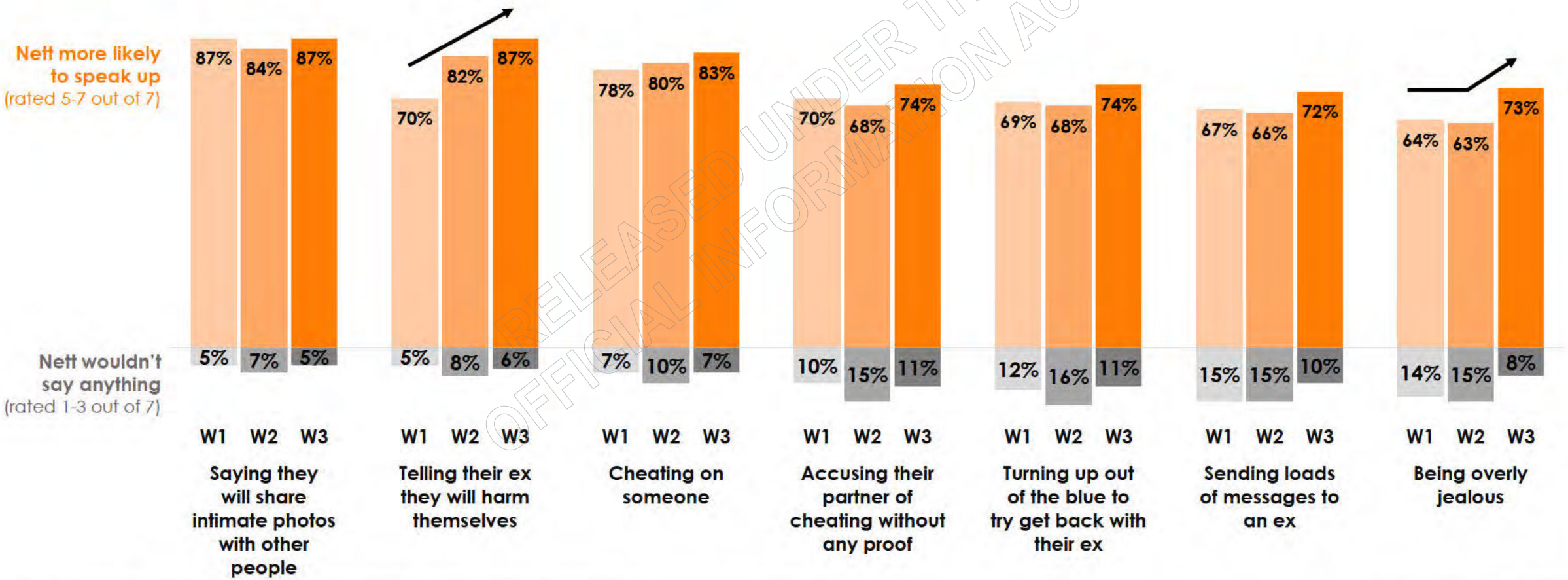
Source: **Q18** - What are the red flags? **Base:** All young people post-campaign (W1=451, W2=470, W3=475)
Note: Multiple responses allowed, so totals may not add to 100%. *Others include lying, cheating, lack of respect, being overly apologetic, being possessive etc.

Significantly higher than previous survey ▲

They may also be becoming more likely to speak up.

There are some substantial increases to the sense that threats to self harm and overt jealousy might cross a line.

What you would do if a close friend was…



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Source: Q20 - How would you react to these things if it was a close friend who was ...
Base: All young people post-campaign (W1=451, W2=470, W3=475) **Note:** Totals may not add to 100% due to rounding

Significantly higher than previous survey(s) ↗

7

Concluding thoughts

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In the messiness of breakups, good things are happening.

Even though the campaign has been in market for a short time, we have seen green shoots of positivity around youth relationships.

They're more willing and able to seek help

Say they would seek help if they needed it
(up 16 points since the campaign)

Know where to get help If they needed it
(up 16 points since the campaign)

Their attitudes towards break up norms are changing for the better

Think it's possible for any break up to be a good break up
(up 17 points since the campaign)

Think it's not normal to do hurtful things during a breakup
(up 20 points since the campaign)

Less of them are lacking confidence

Are not confident they could handle a break up with less harm
(down 7 points since the campaign)

Break up experiences are getting better

Said their last/worst break up was fine
(up 22 points since the campaign)

"I think what [Love Better] is doing is fantastic. This is something that I needed when I was going through shit stuff and having this available for young people is amazing.

9(2)(a)

Campaign review participant

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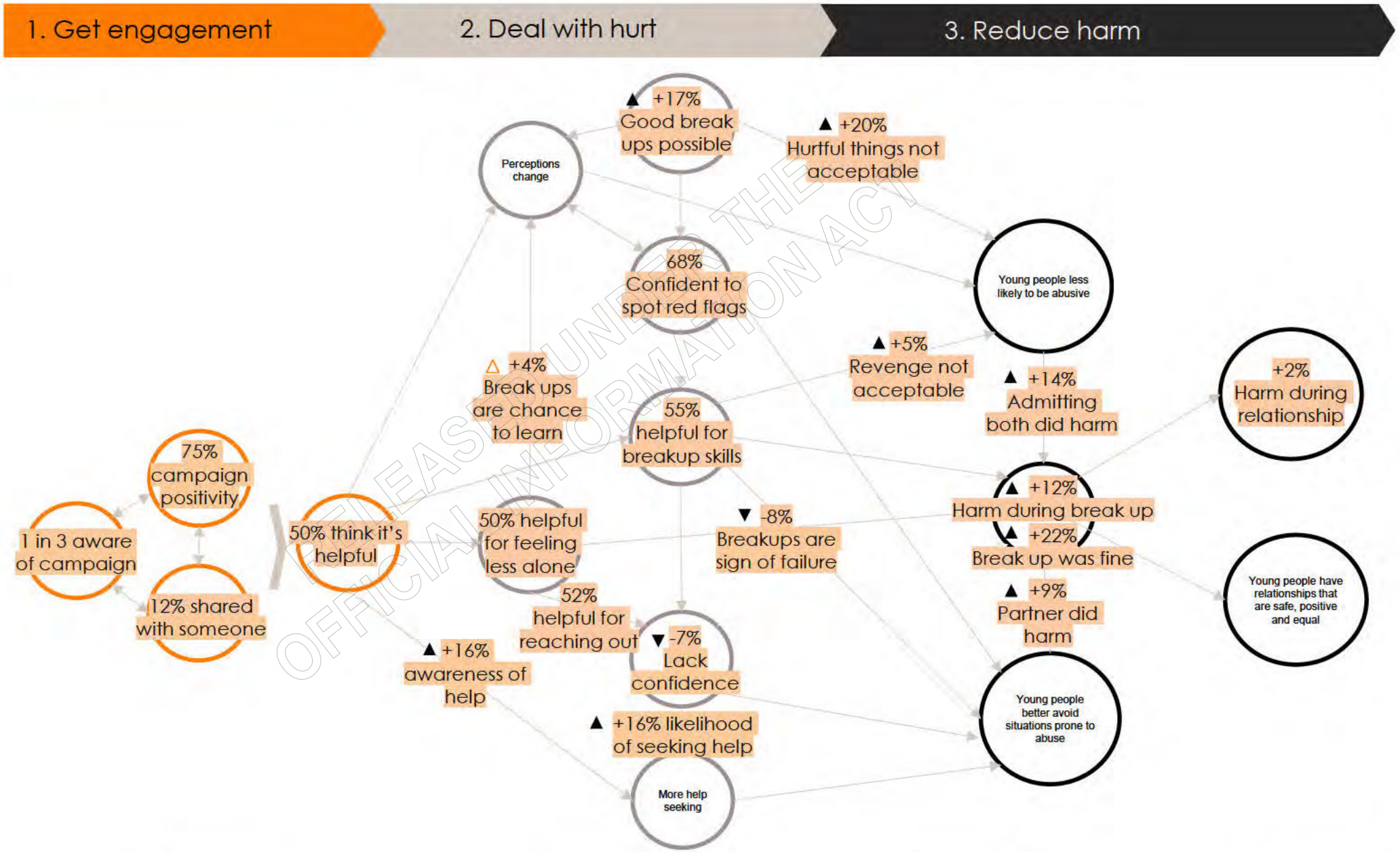
Quantified Theory of Change

We have mapped the evidence onto the theory of change to show significant and/or notable findings.

▲▼ Significantly higher/lower than benchmark

△▽ Significantly higher/lower amongst campaign aware



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There is still a long way to go.

The rises in reported harms during a break up, alongside the continued high level of harms reported during a relationship, indicate that the need to support young people in identifying and coping with challenging relationship situations is as valid as ever.

However, these results indicate that Love Better is proving to be a worthy vehicle, both of their attention and their confidence.

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> So many of my friends are in relationships where they or their partners are treating them harmfully or just borderline controlling and it see this validated gives some power to the one being harmed as they have tools to navigate this now.

9(2)(a)

Campaign review participant

The message from young people is 'keep going'.

F**k idk, I really do hope that this is the beginning of something big that can help youth deal with relationships now.

9(2)(a)

Campaign review participant

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IN CONFIDENCE

Thank you.

Particularly to all the young people contributed their voices to the development and review of this campaign.

9(2)(a)

L9, 101 Lambton Quay,
Wellington

9(2)(a)

Suite 601, 48 Greys Avenue,
Auckland

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Powering decisions
that shape the world.

8

Appendix

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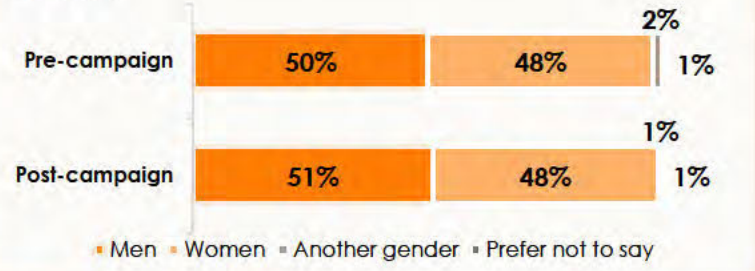
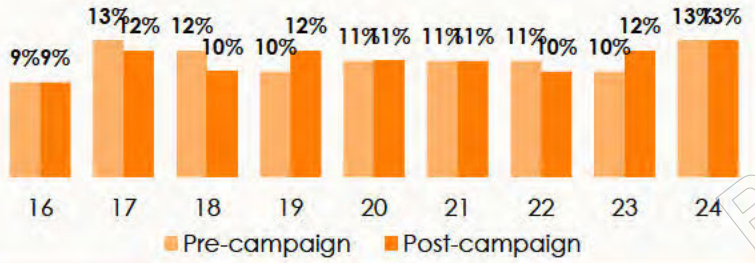
Survey sample – Benchmark & ongoing monitor

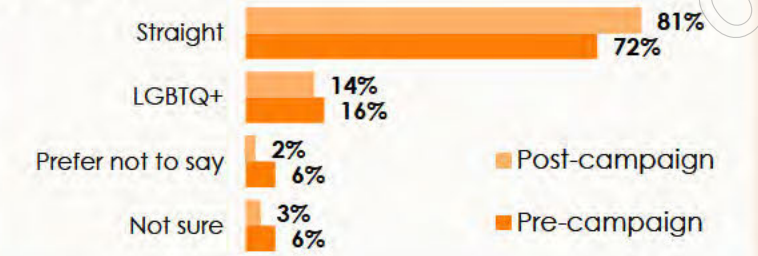
Gender



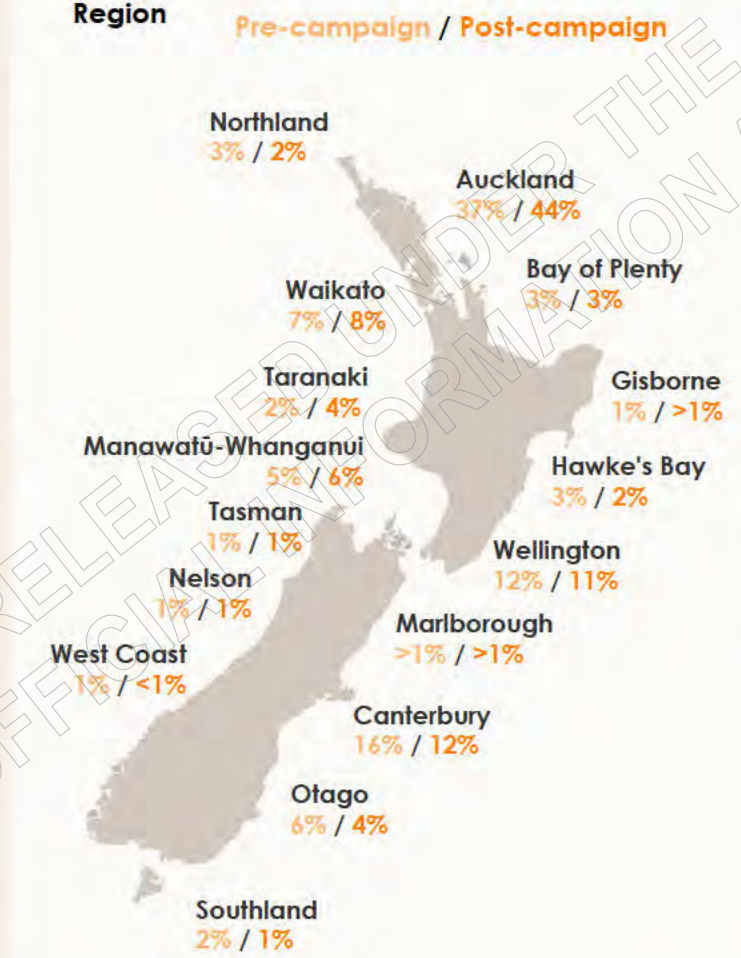
Age



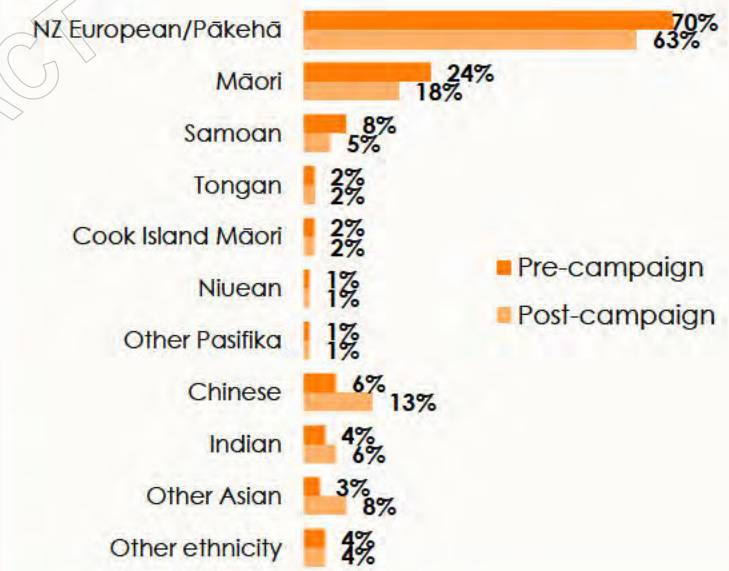
Sexuality



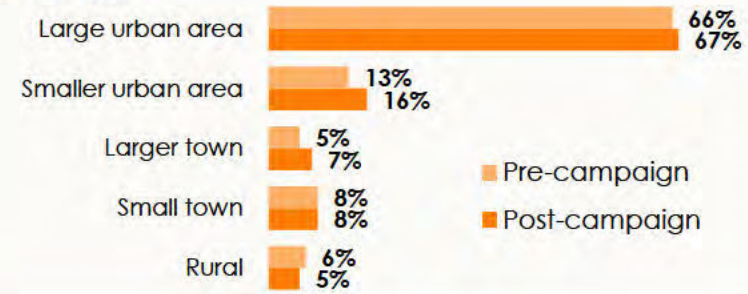
Region



Ethnicity



Area type



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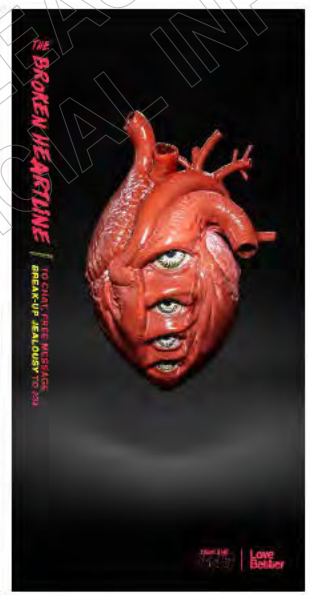
Source: S1 Age, S2. Gender, S3. Ethnicity, S4. Region, S5. Area type, Q21. Sexuality
Base: All young people (Pre-campaign n=782, Post-campaign n=1396)

Testing campaign recall

Young people were shown a range of campaign materials to assess their recall, understanding, reception and the messages they take away.

They were shown these images after answering questions around their behaviours and attitudes.



9(2)(a)

9(2)(a)

9(2)(a)

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Campaign review methodology

We took a qualitative approach to the research, utilising an online research platform (Recollective) to collect feedback.

We tested content with 59 young New Zealanders aged 16 – 24 years old, from a range of locations, ethnic backgrounds and sexual orientations.

Participants completed a total of six activities over the course of the forum. Activities involved a number of tasks:

- Response to a break up scenario
- Awareness of the 'Love Better' campaign
- Specific feedback on Love Better content from a channel perspective (SYSCA podcasts, Tik Tok video content, VICE articles and Mai FM content)
- Impact in context of one's own break up story
- Exploration of outcomes outlined in the theory of change
- Advice to the creators of Love Better

For their time and energy, participants received a $120 koha.

Fieldwork took place in September 2023.

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Campaign review sample

Gender and sexuality

	Total	16-18 years	19-21 years	22-24 years
Straight - female	21	8	6	7
Straight - male	28	10	10	8
LGBQTI+	10	1	5	4
Total	**59**	**19**	**21**	**19**

Region

Ethnicity

	Total	16-18 years	19-21 years	22-24 years
Māori/Pacific Island (includes Tonga)	36	12	13	11
Other/NZ European Includes NZ Euro, Asian, Indian, Middle Eastern, Russian, Chinese, Scottish, Jewish, Lebanese,	34	10	10	14
Total (includes multiple ethnicities)	70	22	23	25

Ethnicities self-defined.
Multiple ethnicities possible – 59 individuals in total.

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Foundational research methodology

We took a qualitative approach to the research, utilising an online research platform (Recollective) to collect feedback.

We tested content with 29 young New Zealanders aged 16 – 24 years old, from a range of locations, ethnic backgrounds and sexual orientations.

Participants completed a number activities over the course of the forum. Activities involved a number of tasks:

- First hand accounts of actually happens around break ups.
- Response to what contributes to the harmful 'tricky bits' and why. Including: how values and norms play a part, how social (performative) expectations influence, how gender and cultural expectations might impact.
- Reflections from young people about what help they most want.

For their time and energy, participants received a $120 koha.

Fieldwork took place in December 2022.

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Foundational research sample

Gender and sexuality

	Total	16-18 years	19-21 years	22-24 years
Straight - female	11	1	4	6
Straight - male	12	1	5	6
LGBQTI+	7	4	1	1
Total	**29**	**6**	**10**	**13**

Region

Ethnicity

	Total	16-18 years	19-21 years	22-24 years
Māori/Pacific Island	10	1	5	4
Other/NZ European	19	4	6	9
Total (includes multiple ethnicities)	**29**	**5**	**11**	**13**

Ethnicities self-defined.
Multiple ethnicities possible – 29 individuals in total.
Living with disability: 3 respondents

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11 May 2022

Parliamentary Under-secretary of Revenue
CC Minister for Child Poverty Reduction,
Minister for Social Development and Employment,
Minister of Revenue,
Minister of Justice

Scope of the Debt to Government work

Purpose

1. This report seeks your approval of the scope of the Debt to Government work, which will be reported back to Cabinet in July 2022 by the Ministers of Child Poverty Reduction, Social Development and Employment, Revenue, and Justice.

2. It provides you with an update on progress and a detailed timeline from May to July.

Background

3. The Prime Minister, in her capacity as the Minister for Child Poverty Reduction, has initiated cross-agency work on ways to prevent and reduce the level of debt owed to Government. The context of this work is debt owed to Government by individuals and families with low incomes.

4. Cabinet has agreed the work should have the dual focuses of:

   4.1 ensuring debt recovery is fair, effective, and avoids exacerbating hardship, and

   4.2 preventing debt from occurring so that it does not create future problems for those in hardship.

5. Cabinet has noted that the debt to government work is an important part of addressing child poverty as it reduces household costs for people with children.

6. In November 2021, Cabinet invited the Minister for Child Poverty Reduction, Minister for Social Development and Employment, Minister of Revenue, and Minister of Justice to report back to the Social Wellbeing Committee by July 2022 on:

   a. the outcome of the Phase One work set out in the paper under SWC-21-SUB-0171, including options and recommended actions for Ministerial consideration, as well as the inclusion of Kāinga Ora and further actions around housing and rent-related debt in the Phase One work programme;

   b. the plan for Phase Two, which will set out the approach to making longer-term, more comprehensive changes, and any likely funding or legislative implications.

7. You have been asked to lead this work on behalf of joint Ministers.

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Workstreams

8. We consider that reporting back by July is an ambitious timeframe to deliver this work.

9. We recommend dividing this work into three streams:

   9.1 Workstream 1: A framework that can be used across Government to address debt for low-income individuals and families, with a focus on consistency and fairness (SWC-21-MIN-0171 paragraph 7).

   9.2 Workstream 2: Options for addressing debt generated by the overpayment of Working for Families tax credits (WFF). This work will progress alongside the WFF Review. The Review will consider fundamental changes to the structure and design of WFF tax credit payments, with a focus on support for in-work costs and the work-benefit interface; improvements to assist with the costs of children in the early years; and administrative, operational and client experience improvements (SWC-21-MIN-0171 paragraph 13.1).

   9.3 Workstream 3: updates on Phase 1 and Phase 2 deliverables sent to you approximately every three weeks. The first update is attached to this note (Appendix 1) and covers SWC-21-MIN-0171 paragraphs 6.1 – 6.9 to address Phase 1 and paragraphs 11.1 – 11.2 to address Phase 2. Some of the deliverables in these recommendations overlap with other deliverables and we have noted where this occurs.

10. Within the workstreams there are areas which we think should be a focus while others should not be specifically considered at this point. These are noted later in the report.

11. The outcomes of these workstreams will be provided to you in a draft Cabinet paper in June.

Scope

Inland Revenue, Ministry of Social Development and Ministry of Justice debt

12. Various types of government debt have an impact on low-income families/individuals. Inland Revenue (IR), Ministry of Social Development (MSD) and Ministry of Justice (MoJ) have reported to you on the areas they consider are of significance to low-income people. The framework produced by Workstream 1 should span all relevant types of debt.

13. Of the types of government debt considered relevant to low-income people, the types that are most problematic or are likely to be having a substantial impact on income adequacy and hardship are:

   13.1 Overpayment of WFF tax credits;

   13.2 Overpayment of MSD payments;

   13.3 Recoverable assistance;

   13.4 Legal aid; and

   13.5 Attachment orders.

14. A number of specific options to address overpayment of WFF tax credits are being developed as part of the WFF Review and could contribute to the options for overpayment being considered under Workstream 2. These options relate to both

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preventing WFF overpayments and also addressing overpayment debt once it arises. These options will be included in a paper going to you in May.

15. At a later stage, Ministers may wish to consider which (if any) of the approved WFF debt options are allocated between the WFF Review and the Debt to Government project. These decisions may be influenced by the fiscal envelope available for each project and the likely implementation timeframes for the options. Officials have found that the debt options that relate to the prevention of over-payments seem to sit more comfortably within the scope of the WFF Review, while the options for dealing with existing WFF debt may be better suited for the Debt to Government project, particularly because they will be less WFF specific and could be used to develop a "whole of government" approach to debt regardless of how it arose.

16. MSD has approved internal funding for the overpayment project which will pay for changes to better understand the overpayment problem and make a number of system changes. This is preliminary work.

17. MSD is currently undertaking a review of hardship assistance with a focus on ensuring that the system is adequate, appropriately designed and easy to access. This will include a review of recoverability settings of hardship assistance grants to consider the balance of recoverable and non-recoverable hardship assistance.

18. MoJ has prepared a budget bid for Budget 2022 to implement the findings of the 2018 legal aid review.

19. Changes to attachment orders are operational in nature. The changes require sharing information that is part of the court record, which requires the approval of the Chief District Court Judge. Approaching the judiciary has been put on hold due to priorities arising from Omicron, as the courts' priority has been to ensure they can continue to operate and deliver services. MoJ plans to progress this work when there is opportunity to do so.

Debt administered by other agencies

20. The November Cabinet paper, *Reducing the Impact of Debt to Government for People in Hardship* [SWC-21-MIN-0171], noted the potential to include Accident Compensation Corporation (ACC) and Managed Isolation and Quarantine (MIQ) debt in the scope of the Debt to Government work.

21. Further, Te Tūāpapa Kura Kāinga – Ministry for Housing and Urban Development (HUD) have proposed that Kāinga Ora rent arrears be included within the scope of this work. HUD has also recommended that the scope include a range of other similar housing and rent-related debt issues [BRF21/22041297 refers]. If approved by the Minister of Housing, advice will be forwarded to the Minister of Social Development and Employment, and the Parliamentary Undersecretary for Revenue. As a group, officials will consider how to integrate the Kāinga Ora debt into the work.

22. To keep the scope of this workstream manageable, we propose not specifically examining debt administered by other agencies (apart from Kāinga Ora housing-related debt, as directed by Cabinet) at this stage. However, the overarching framework that is being developed should be broad enough to provide principles on how to treat other types of debt to Government.

Overarching issues

23. We consider that this work, particularly the overarching framework of Workstream 1, should account for the broader cumulative impacts of cross-government debt on

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an individual or family. We anticipate that IR/MSD's common debtor pilot will help identify these impacts.

24. This framework could be used as a policy framework to help agencies design and evaluate aspects of policies which create, and relate to the collection of, debt (in particular, debt for low-income individuals). It will achieve this by outlining categories of debt according to the underlying policy settings which give rise to the debt and providing a model of how each type of debt ought to be treated. The model will be a starting point for how debt should be considered although there may be specific reasons why that treatment is not appropriate.

25. The framework itself is intended to provide guidance on how agencies will approach different categories of debt and what tools should be available to manage debt in a fair and coherent way that makes recovery processes more sustainable for individuals.

26. As the framework develops, it will generate some additional work around defining issues like the definition of hardship and sustainability of debt repayments for individuals with debt to government. The Social Wellbeing Agency (SWA) has produced varied analysis on cross-agency debt. The SWA is currently working on a deeper dive into debt persistence and an examination of how often public and private debt occur together. The working group will prepare a paper on addressing persistent debt to progress recommendations 6.4 and 13.4.

27. Changes made to reduce overpayment debt and to make debt recovery more consistent are likely to have a positive flow-on impact on the persistence of debt for low-income individuals and families. If Ministers would like more specific work to address debt persistence, this will likely need to be on a longer timeframe than the three workstreams given the potential scale and cost of making meaningful changes in this area. We will provide further advice on this in advance of the July Cabinet paper. The SWA initially considered producing analysis on the gender and relationship status of common debtors. However, given this analysis isn't necessary for the advice requested for the July Cabinet paper, it has not been prioritised.

Next steps

28. We intend to provide you with a draft framework at the beginning of May, options to reduce overpayments of WFF tax credits in May, and a draft Cabinet paper in June.

29. Attached to this paper is a detailed workplan from May to July (Appendix 2).

30. You may wish to discuss with your Ministerial colleagues whether they are comfortable with the scope of the work we have recommended in this paper.

Recommended action

We recommend that you:

Parliamentary Under-secretary for Revenue

31. **agree** to the scope of this work as recommended

    Agreed/not agreed

32. **refer** a copy of this report to the Minister of Housing and the Minister of Education for their information

    Referred/not referred

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Minister for Child Poverty Reduction

33. **note** the contents of this report

Noted

Minister for Social Development and Employment

34. **note** the contents of this report

Noted

Minister of Revenue

35. **note** the contents of this report

Noted

Minister of Justice

36. **note** the contents of this report

Noted

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Clare Ward
Executive Director
Child Wellbeing and Poverty Reduction
Department of the Prime Minister and Cabinet

Bede Hogan
Policy Manager, Income Support
Ministry of Social Development

Rt. Hon. Jacinda Ardern
Minister for Child Poverty Reduction
/ /2022

Hon. Carmel Sepuloni
Minister for Social Development and Employment
16 / 5 /2022

Kerryn McIntosh-Watt
Policy Director
Inland Revenue

Rajesh Chhana
Deputy Secretary, Policy
Ministry of Justice

Hon. David Parker
Minister of Revenue
/ /2022

Hon. Kris Faafoi
Minister of Justice
/ /2022

Dr Deborah Russell
Parliamentary Under-secretary for Revenue
/ /2022

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Appendix 1 – Status of Phase 1 and Phase 2 areas of work

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Phase 1					
Paragraph in SWC minute	**Details of the area of work**	**Work to date and next steps**	**Lead agency**	**Working with**	**RAG rating ahead of July report back**
6.1 and 13.1	Changes to improve the fairness, coherence and consistency in operational processes and policy, as well as an overarching framework to guide across agencies.	Information has been collected on the impact of debt-related operational processes and policies on individuals and families. Changes to improve fairness, coherence and consistency in operational processes and policy will be developed following the development of the framework. It is unlikely that specific changes will be finalised before the July Cabinet paper.	MSD, IR, MoJ, DPMC	HUD, Kāinga Ora	Amber. This will be monitored to ensure there is sufficient resourcing.
6.2 and 13.2	Changes to improve the use of attachment orders, such as information sharing practices, maximum repayment rates, and/or attachment order amounts.	MoJ have investigated ways to improve information sharing that allow the circumstances of MSD clients to be better factored into decision-making when attachment orders are applied by the courts, but COVID disruptions have delayed implementation. The potential for further changes to attachment orders, such as maximum repayment rates and/or attachment order amounts, are being discussed by the working group.	MoJ	N/A	Amber. Work on attachment orders has been on hold due to Covid-related factors but is planned to progress in future.

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6.3 and 13.3	Changes to operational processes arising from the findings from the evaluation of the common debtors pilot.	Common debtor pilot started in April 2021 and has been extended to the end of March 2022. The evaluation report is due at the end of June. Lessons will be taken from the evaluation; this might include whether a budget bid should be made for Budget 2023 to continue and/or expand the pilot to other products or agencies.	MSD and IR joint project	N/A	Green.
6.4 and 13.4	Options to address (prevent or write-off) persistent debt, based on the findings of the Social Wellbeing Agency's analysis of the drivers of persistent debt.	SWA has produced analysis on common debtors and this is informing the work. SWA has two further pieces of debt analysis underway looking into specific areas: a deeper dive on debt persistence and examining how often public and private debt occur together. Changes made to reduce overpayment debt and to make debt recovery more consistent are likely to have a positive flow-on impact on the persistence of debt for low-income individuals and families. If Ministers would like more specific work to address debt persistence, this will likely need to be on a longer timeframe than the three workstreams given the potential scale and cost of making meaningful changes in this area. We will provide further advice on this in advance of the July Cabinet paper.	SWA (understanding debt) IR, MSD, MoJ, DPMC (addressing debt)	N/A	Green (understanding debt). Amber (addressing debt). This will be monitored to ensure there is sufficient resourcing.

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6.5 and 14.1	Focus areas to reduce overpayment debt	MSD has approved internal funding to progress identified changes to prevent/reduce the creation of overpayment debt. This will include some small system enhancements. For example: • changing MSD's existing information share arrangement with IR and receiving this earlier in the month. This will mean MSD is able to process files earlier and therefore reduce the amount of debt created, • automatically adjusting some payments to reflect the correct amount due when earning and declaring income.	MSD	IR, DPMC, TSY	Green.
6.6 and 14.2	Operational changes through the Working for Families Review (options to improve the delivery of WFF payments).	The first part of the WFF Review has introduced changes to increase payments (income adequacy). Further work is considering fundamental changes to the structure and design of WFF tax credits, including administrative and operational improvements to assist with a reduction in overpayments causing debt. We will provide an initial paper to you with options that will cover both the objectives of the WFF Review and reducing problem debt.	MSD, IR, DPMC, TSY		Green.

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6.7 and 14.3	Changes to hardship assistance, including options for shifting the balance between recoverable and non-recoverable assistance.	Two bids as part of the Hardship Assistance review have been approved for Budget 2022. One initiative proposes permanent increases to the income limits for Special Needs Grants, Recoverable Assistance Payments and Advance Payments of Benefit from 1 July 2022 and indexes the limits to average wage growth from 1 April 2023. This will increase the cohort of people eligible for Hardship Assistance and ensure that limits increase in line with wage growth. The other increases the maximum emergency dental treatment Special Needs Grant rate from $300 to $1000. Increasing the limit to $1,000, as well as allowing the limit to be exceeded in exceptional circumstances, would forego approximately $870 in debt for future recipients (approximately 40,000 people per year). Further work is being undertaken to consider issues around grant maxima, cost categories, and recoverability settings, with an emphasis on considering the balance of recoverable and non-recoverable assistance. The cross-agency group will be consulted on these issues as work progresses.	MSD	N/A	Green.

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6.8 and 14.4	Changes to legal aid around eligibility and repayment	MoJ has prepared a budget bid for Budget 2022 to implement the findings of the 2018 legal aid review. The bid will update key legal aid policy settings around eligibility, repayment, and legal aid lawyers' remuneration. It will ensure that legal aid scheme continues to provide access to justice for low-income New Zealanders by: • enabling more people to access the scheme and receive legal advice to resolve their legal problems, • encouraging lawyers to continue providing the service.	MoJ	N/A	Green.
6.9 and 14.5	Changes to reduce debt created through child support	The Child Support Amendment Act 2021 included several changes which are intended to help parents meet their child support obligations, but they are also expected to prevent new debt by ensuring liable parents get their payments right from the start. The removal of incremental penalties also reduces the growth of existing child support debt. An initial update on the implementation will be provided in the July 2022 report back.	IR	N/A	Green.

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12.1	Inclusion of Kāinga Ora and further actions around housing and rent-related debt.	HUD and Kāinga Ora are involved in developing the framework. HUD and Kāinga Ora have reported to their Minister on the scope of policy work on housing and rent-related debt. Once the Minister of Housing has agreed on the areas of focus, officials will undertake policy work to consider the issues within scope in more detail, and consider how housing and rent-related debt issues can be integrated into the wider Debt to Government work programme.	HUD, Kāinga Ora	N/A	Green.
Phase 2					
Paragraph in SWC minute	**Details of the area of work**	**Work to date**	**Lead agency**	**Working with**	**RAG rating ahead of July report back**
11.1	Longer term options for changes to improve fairness, coherence and consistency in operational processes, policy, and legislation.	Officials currently working on a framework to improve fairness and consistency. Changes to improve fairness, coherence and consistency in operational processes and policy will be developed following the development of the framework. It is unlikely that specific changes will be finalised before the July Cabinet paper.	MSD, IR, MoJ, DPMC	HUD, Kāinga Ora	Amber. This will be monitored to ensure there is sufficient resourcing.

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11.2	Longer-term operational, policy, and legislative changes to reduce overpayment debt.	The WFF Review and the WFF overpayments paper will discuss some longer-term options for WFF as a portion of this. MSD has approved internal funding to progress work to better understand the drivers of overpayment debt creation. This will include further analysis to inform what will be required to implement longer term changes.	MSD, IR	DPMC, TSY	Amber. This will be monitored to ensure there is sufficient resourcing.

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Appendix 2 – Proposed workplan for Debt to Government Q2 2022 as of 2 May 2022

Key to the table below:

- Green: Framework paper
- Blue: Potential Phase 2 overpayment option
- Purple: Project updates from working group on progress of phase 1 and phase 2 items
- Red: Plan for the next steps on persistent debt
- Grey: Hardship paper
- Yellow: Draft Cabinet paper

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Week beginning	Papers to Dr Russell	Dr Russell to send to joint Ministers	Related events	Relevant dates
2 May	• Paper #1 Initial draft of Framework paper to Dr Russell			
9 May	• Revised paper #2 to Dr Russell and joint Ministers outlining: o scope of debt to Government project o proposed workplan for debt to Government Q2 2022 • Project update #1 from working group *(including updates on progress of Phase 1 and Phase 2 items)*		Meeting with Dr Russell to discuss the Framework	
16 May	• Paper #3 Revised draft of Framework paper to Dr Russell	• Paper #3 Draft Framework paper to Ministers		19 May Budget Day
23 May	• Plan for the next steps on persistent debt • Plans for next steps on treatment of hardship • Project update #2 from working group *(including updates on progress of Phase 1 and Phase 2 items)*	• Plan for the next steps on persistent debt • Plans for next steps on treatment of hardship • Project update #2	• WFF Review report to joint Ministers (initial advice) *date TBC* • WFF Review consultation ends	Recess week
30 May	• Paper #4 Potential Phase 2 WFF overpayment options and high-level trade-offs • Paper #5 Revised framework paper incorporating feedback from Joint Ministers	• Paper #4 Potential Phase 2 WFF overpayment options and high-level trade-offs • Paper #5 Revised framework paper incorporating feedback from joint Ministers		

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6 June	• Draft Cabinet paper, incorporating: o Phase 1 report back o Phase 2 framework o Potential Phase 2 WFF overpayment options and high-level trade-offs o Plan for next stages of work on persistent debt o Plan for next stages of work on treatment of hardship			*Monday 6 June Queens Birthday*
13 June		• Draft Cabinet paper for comment to Joint Ministers, incorporating: o Phase 1 report back o Phase 2 framework o Potential Phase 2 WFF overpayment options and high-level trade-offs o Plan for next stages of work on persistent debt o Plan for next stages of work on treatment of hardship		Recess week
20 June	• Project update #3 (if needed)	• Project update #3 to joint Ministers		*Friday 24 June Matariki*
27 June	• Revised Cabinet paper, incorporating feedback from Joint Ministers • Regulatory Impact Assessment TBC	• Revised Cabinet paper, incorporating feedback from Joint Ministers • Regulatory Impact Assessment TBC	Formal evaluation of common debtor pilot finishes	
4 July		• Confirm Joint Ministers approve Cabinet paper • Office to circulate Cabinet paper for wider Ministerial consultation		Recess week

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11 July	• Speaking notes for Caucus? • Project update #4 (if needed)	• Project update #4 to joint Ministers		Recess week
18 July	• Speaking notes for SWC	• Lodge Cabinet paper 21 July		Recess week
25 July	• Timeline for proactive release of Cabinet paper		Consideration of Cabinet paper at SWC 27 July	

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Inland Revenue
Te Tari Taake

MINISTRY OF SOCIAL DEVELOPMENT
TE MANATŪ WHAKAHIATO ORA

DEPARTMENT OF THE PRIME MINISTER AND CABINET
TE TARI O TE PIRIMIA ME TE KOMITI MATUA

MINISTRY OF JUSTICE
Tāhū o te Ture

Tax policy report: Debt to Government — Project update #2

Date:	1 June 2022	**Priority:**	Medium
Security level:	In Confidence	**Report number:**	IR2022/290 REP/22/5/487 DPMC-2021/22-2247

Action sought

	Action sought	**Deadline**
Minister for Child Poverty Reduction	**Note** the contents of this report	8 June 2022
Minister for Social Development and Employment	**Note** the contents of this report	8 June 2022
Minister of Revenue	**Note** the contents of this report	8 June 2022
Minister of Justice	**Note** the contents of this report	8 June 2022
Parliamentary Under-secretary for Revenue	**Note** the contents of this report **Refer** this report to the Minister of Housing	8 June 2022

Contact for telephone discussion (if required)

Name	**Position**	**Telephone**

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Clare Ward	Executive Director, Child Wellbeing and Poverty Reduction, Department of the Prime Minister and Cabinet	s 9(2)(a) OIA
Samantha Aldridge	Principal Policy Advisor, Inland Revenue	s 9(2)(a) OIA
Adaire Koia-Ward	Senior Policy Analyst, Ministry of Social Development	s 9(2)(a) OIA
Anna Ferguson	Senior Advisor, Access to Justice, Ministry of Justice	s 9(2)(a) OIA
Daniel Kurvink	Principal Advisor, National Service Delivery, Ministry of Justice	s 9(2)(a) OIA

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1 June 2022

Parliamentary Under-secretary of Revenue
CC Minister for Child Poverty Reduction,
Minister for Social Development and Employment,
Minister of Revenue,
Minister of Justice

IR2022/290: Debt to Government — Project update #2

Purpose

1. This report provides you with a status update on the Debt to Government work, which will be reported back to Cabinet in July 2022 by the Ministers for Child Poverty Reduction, Social Development and Employment, Revenue, and Justice.

2. The status of Phase 1 and Phase 2 of this work as at 1 June is provided below:

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Phase 1					
Paragraph in SWC minute	**Details of the area of work**	**Work to date and next steps**	**Lead agency**	**Working with**	**RAG rating ahead of July report back**
6.1 and 13.1	Changes to improve the fairness, coherence, and consistency of operational processes and policy, as well as an overarching framework to guide across agencies.	Information has been collected on the impact of debt-related operational processes and policy on individuals and families. Changes to improve the fairness, coherence, and consistency of operational processes and policy will be developed following the completion of the framework. It is unlikely that further changes will be finalised before the July Cabinet paper.	MSD, IR, MoJ, DPMC	HUD, Kāinga Ora	Amber. This will be monitored to ensure there is sufficient resourcing.
6.2 and 13.2	Changes to improve the use of attachment orders, such as information sharing practices, maximum repayment rates, and/or attachment order amounts.	MoJ have investigated ways to improve information sharing that allow the circumstances of MSD clients to be better factored into decision-making when attachment orders are applied by the Courts. However, COVID-related disruptions have delayed implementation of these changes. Potential further changes to attachment orders, such as maximum repayment rates and/or attachment order amounts, are being discussed by the working group.	MoJ	N/A	Amber. Work on attachment orders has been on hold due to COVID-related factors but is scheduled to progress in future.

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6.3 and 13.3	Changes to operational processes following the evaluation of the Common Debtors pilot.	The Common Debtors pilot ran from April 2021 and was extended until the end of March 2022. An evaluation report is due at the end of June. Following the evaluation results, IR and MSD will consider and report on potential changes to improve the experience for common debtors.	MSD and IR joint project	N/A	Green.
6.4 and 13.4	Options to address (prevent or write-off) persistent debt, based on the findings of the Social Wellbeing Agency's analysis of the drivers of persistent debt.	The Social Wellbeing Agency (SWA) has analysed common debtors to inform this work. The SWA has two further, more specific, pieces of debt analysis underway: a deeper dive into debt persistence and an examination of how often public and private debt occur together. They are in the process of sharing initial insights. Changes made to reduce overpayment debt and to make debt recovery more consistent are likely to have a positive flow-on impact on the persistence of debt for low-income individuals and families. If Ministers would like more specific work to address debt persistence, this will likely need to be on a longer timeframe than the three workstreams discussed in the 11 May report to Ministers, *Scope of Debt to Government work,* given the potential scale and cost of making meaningful changes in this area. We will provide further advice on this as part of the July Cabinet paper.	SWA (understanding debt) IR, MSD, MoJ, DPMC (addressing debt)	N/A	Green (understanding debt). Amber (addressing debt). This will be monitored to ensure there is sufficient resourcing.

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6.5 and 14.1	Focus areas to reduce overpayment debt.	MSD has approved internal funding to progress identified changes to prevent/reduce the creation of overpayment debt. This will include some small system enhancements. For example: • MSD's existing information share arrangement with IR is changing to be received earlier in the month. This means MSD is able to process files earlier and therefore reduce the amount of debt created, • automatically adjusting some payments to reflect the correct amount due when earning and declaring income.	MSD	IR, DPMC, TSY	Green.
6.6 and 14.2	Operational changes through the Working for Families Review (options to improve the delivery of WFF payments).	The first phase of the Working for Families (WFF) Review focused on income adequacy and resulted in increased payment rates. The Review is now considering fundamental changes to the structure and design of WFF tax credits, including administrative and operational improvements to reduce overpayments which create debt. We will provide you with a paper on options for addressing WFF debt that are consistent with the objectives of the WFF Review.	MSD, IR, DPMC, TSY		Green.

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6.7 and 14.3	Changes to hardship assistance, including options for shifting the balance between recoverable and non-recoverable assistance.	Two bids as part of the Hardship Assistance review have been approved for Budget 2022. One initiative proposes permanent increases to the income limits for Special Needs Grants, Recoverable Assistance Payments and Advance Payments of Benefit from 1 July 2022 and indexes the limits to average wage growth from 1 April 2023. This will increase the cohort of people eligible for Hardship Assistance and ensure that limits increase in line with wage growth. The other increases the maximum Special Needs Grant for immediate and essential dental treatment from $300 to $1000 and allows the limit to be exceeded in exceptional circumstances. These changes would forego approximately $870 in debt for future recipients (approximately 40,000 people per year). Further work is being undertaken to consider issues around grant maxima, cost categories, and recoverability settings, with an emphasis on considering the balance of recoverable and non-recoverable assistance. The cross-agency group will be consulted on these issues as work progresses.	MSD	N/A	Green.

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6.8 and 14.4	Changes to the eligibility and repayment settings of legal aid.	MoJ's bid to strengthen the legal aid system (following the findings of the 2018 legal aid review) was approved for Budget 2022. Funding has been secured to update key legal aid policy settings around eligibility, repayment, and legal aid lawyers' remuneration. This will ensure that the legal aid scheme continues to provide access to justice for low-income New Zealanders by: • enabling more people to access the scheme and receive legal advice to resolve their legal problems, • encouraging lawyers to continue providing the service. Most of the changes require legislative and regulatory adjustments to implement. We expect these to come into force in 2023.	MoJ	N/A	Green.

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6.9 and 14.5	Changes to reduce child support debt.	The Child Support Amendment Act 2021 included several changes to help parents meet their child support obligations. These changes are also expected to prevent new debt by ensuring liable parents get their payments right from the start. The removal of incremental penalties under the Act will reduce the growth of existing child support debt. An initial plan for evaluating the changes in the Act will be provided in the July 2022 report back.	IR	N/A	Green.
12.1	Inclusion of Kāinga Ora and further actions around housing and rent-related debt.	HUD and Kāinga Ora are involved in developing the framework. HUD and Kāinga Ora have reported to their Minister on the scope of policy work on housing and rent-related debt. Once Ministerial agreement on the areas of focus has been obtained, officials will consider the issues within scope in more detail and how housing and rent-related debt issues can be integrated into the wider Debt to Government work programme.	HUD, Kāinga Ora	N/A	Green.
Phase 2					
Paragraph in SWC minute	**Details of the area of work**	**Work to date**	**Lead agency**	**Working with**	**RAG rating ahead of July report back**

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11.1	Longer-term options to improve fairness, coherence, and consistency in operational processes, policy, and legislation.	Officials are currently working on a framework to improve fairness and consistency. Options to improve fairness, coherence, and consistency in operational processes and policy will be developed following the development of the framework. It is unlikely that specific options will be finalised before the July Cabinet paper.	MSD, IR, MoJ, DPMC	HUD, Kāinga Ora	Amber. This will be monitored to ensure there is sufficient resourcing.
11.2	Longer-term operational, policy, and legislative changes to reduce overpayment debt.	The WFF overpayments paper will discuss some longer-term options that could be progressed as part of the WFF Review. MSD has approved internal funding to progress work to better understand the drivers of overpayment debt. This will include further analysis on what will be required to implement longer-term changes.	MSD, IR	DPMC, TSY	Amber. This will be monitored to ensure there is sufficient resourcing.

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Recommended action

We recommend that you:

Parliamentary Under-secretary for Revenue

3. **note** the contents of this report

   Agreed/not agreed

4. **refer** a copy of this report to the Minister of Housing for her information

   Referred/Not referred

Minister for Child Poverty Reduction

5. **note** the contents of this report

   Noted

Minister for Social Development and Employment

6. **note** the contents of this report

   Noted

Minister of Revenue

7. **note** the contents of this report

   Noted

Minister of Justice

8. **note** the contents of this report

   Noted

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Clare Ward
Executive Director
Child Wellbeing and Poverty Reduction
Department of the Prime Minister and Cabinet
01/06/2022

Bede Hogan
Policy Manager, Income Support
Ministry of Social Development
01/06/2022

Samantha Aldridge
Principal Policy Advisor
Inland Revenue
01/06/2022

Helen McDonald
Policy Manager, Access to Justice
Ministry of Justice
01/06/2022

Rt. Hon. Jacinda Ardern
Minister for Child Poverty Reduction
/ /2022

Hon. Carmel Sepuloni
Minister for Social Development and Employment
/ /2022

Hon. David Parker
Minister of Revenue
/ /2022

Hon. Kris Faafoi
Minister of Justice
/ /2022

Dr Deborah Russell
Parliamentary Under-secretary for Revenue
/ /2022

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Inland Revenue
Te Tari Taake

MINISTRY OF SOCIAL DEVELOPMENT
TE MANATŪ WHAKAHIATO ORA

DEPARTMENT OF THE PRIME MINISTER AND CABINET
TE TARI O TE PIRIMIA ME TE KOMITI MATUA

MINISTRY OF JUSTICE
Tāhū o te Ture

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Policy report: Debt to Government — Debt framework

Date:	1 June 2022	**Priority:**	Medium
Security level:	In Confidence	**Report number:**	IR2022/289 REP/22/5/488 DPMC-2021/22-2269

Action sought

	Action sought	Deadline
Parliamentary Under-secretary for Revenue	Note the contents of this report. **Refer** report to Minister for Child Poverty Reduction, Minister for Social Development and Employment, Minister of Revenue, Minister of Justice and Minister of Housing.	8 June 2022

Contact for telephone discussion (if required)

Name	Position	Telephone
Clare Ward	Executive Director, Child Wellbeing and Poverty Reduction, Department of the Prime Minister and Cabinet	s 9(2)(a) OIA
Samantha Aldridge	Principal Policy Advisor, Inland Revenue	s 9(2)(a) OIA
Adaire Koia-Ward	Senior Policy Analyst, Ministry of Social Development	s 9(2)(a) OIA

Anna Ferguson	Senior Advisor, Access to Justice, Ministry of Justice	9(2)(a)
Daniel Kurvink	Principal Advisor, National Service Delivery, Ministry of Justice	9(2)(a)

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1 June 2022

Parliamentary Under-secretary of Revenue

Debt to Government: Debt Framework

Summary

1. We reported to you on 4 May 2022 about the design of a framework that could help Government agencies take a coherent approach when setting policies around the creation and management of debt for low-income individuals.

2. The framework should help agencies balance the need to ensure that:

   2.1 categories of debt to Government owed by individuals are treated in broadly consistent ways, and

   2.2 a person's circumstances (such as income adequacy and other debts) are considered when the debt is collected or established.

3. After meeting with you to discuss your comments, this report outlines the latest iteration of the framework and gives an example of how it might be used.

Next steps

4. We seek your feedback on this iteration of the framework and on how the framework should be used by Government.

Recommended action

We recommend that you:

5. **note** the contents of this report;

   Noted

6. **refer** a copy of this report to the Minister for Child Poverty Reduction, Minister for Social Development and Employment, Minister of Revenue, Minister of Justice and Minister of Housing;

   Referred/Not referred

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Clare Ward
Executive Director
Child Wellbeing and Poverty Reduction
Department of the Prime Minister and Cabinet

Bede Hogan
Policy Manager, Income Support
Ministry of Social Development

Samantha Aldridge
Principal Policy Advisor
Inland Revenue

Helen McDonald
Policy Manager, Access to Justice
Ministry of Justice

Dr Deborah Russell
Parliamentary Under-secretary for Revenue
/ /2022

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Purpose

7. This report outlines a framework which will enable agencies to assess debt impact of potential policies and provide a principled approach to dealing with individuals in hardship who owe various types of debt.

8. The framework could be used to guide Government agencies when setting policies around the creation and management of debt for individuals in New Zealand. This paper provides several ways in which the framework could apply, the choice of which will influence the scope of work that agreeing the framework would create.

Background

9. The November Cabinet paper, *Reducing the Impact of Debt to Government for People in Hardship,* specified that work on problem debt should have two areas of focus:

    9.1 ensuring debt recovery is fair, effective, and avoids exacerbating hardship, and

    9.2 preventing debt from occurring so that it does not create future problems for those in hardship.

10. Cabinet agreed that as part of work to improve the fairness, coherence of operational processes and policy, that officials explore the development of an overarching framework for how to approach clients with debt to repay and/or for clients about to take on new debt [SWC-21-MIN-0171]. Below is our thinking on this issue to date.

11. This has been developed by Inland Revenue (IR), the Ministry of Social Development (MSD), and the Ministry of Justice (MoJ) in consultation with the Department of the Prime Minister and Cabinet (DPMC). Kāinga Ora and the Ministry of Housing and Urban Development (HUD) have been consulted in the development of the framework.

12. We reported to you with our initial thinking on 4 May and discussed your comments on 13 May.

13. As discussed in the project update, changes to improve fairness, coherence and consistency in operational processes and policy would be developed following the development of this framework. However, any such changes would need to be considered with regard to the timeframe for change and how any costs would be met. It is likely that most changes would have some associated cost, and this could be significant depending on the ambition for change, and changes may require legislative amendments in order to be given effect.

The framework

How the framework could apply

14. We see three broad options:

    14.1 The framework is jointly owned by the agencies that created it and essentially consists of technical guidance to other government agencies. Consistency of an agency's debt management with the framework would be at the discretion of each agency and its Minister. A decision would need to

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be made about whether the framework is binding on the agencies that own it.

or

14.2 The framework is adopted by Cabinet for future Cabinet papers. Future Cabinet papers would need to outline the impact of options on individuals with debt and state whether the policy is consistent with the framework.

or

14.3 The framework is adopted by Cabinet and Ministers agree that it should apply across the whole of Government. If this approach is preferred then there will be a number of issues to work through — in particular, whether to apply it retrospectively to existing debt management policies and, if so, how to determine the timeframe for change and how to meet the costs this would incur.

15. Which option is preferred will depend on the extent to which:

15.1 Government Ministers are comfortable being bound by the framework;

15.2 the framework recommendations are purely technical as opposed to policy recommendations or the extent to which the framework is intended to be used primarily to assess whether to change policy settings, or to assess operational practice within existing policy and legislative settings; and

15.3 Government is prepared to commit financial resources towards reforming existing debt settings.

What the framework should do

16. This framework should be used for policy and operational processes to help agencies design, implement, and evaluate aspects of policies which create or relate to the collection of debt. It would achieve this by outlining categories of debt according to the underlying policy settings which create it and provide a model for how each category ought to be treated.

17. The framework should help agencies balance the need to ensure that:

17.1 categories of debt to Government owed by individuals are treated in broadly consistent ways, and

17.2 a person's circumstances (including debt owed to other agencies) are considered when the debt is established or collected.

18. The framework should provide principles to help guide:

18.1 How debt should be categorised according to the underlying policy settings.

18.2 How each category of debt should be managed, given the underlying policy settings.

18.3 How agencies should define and consider hardship.

18.4 Ensuring there are limitations on amounts collected to ensure that people are not in further hardship (maximum repayment rates/attachment orders).

18.5 Ensuring that agencies have the information they need to assess whether a person's debt repayments are sustainable given their financial and personal circumstances, including whether the person is eligible for other, non-

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repayable income support. This is likely to include extending current information-sharing arrangements between agencies.

What the framework will not do

19. We do not expect the framework to result in complete consistency between agencies' approaches to debt. Agencies have different operational approaches and resourcing that reflect their core role and functions and this framework will need to operate alongside these. For example, some agencies may not collect debts under a particular amount to ensure that their resources are being used efficiently.

20. We also do not expect the framework to recommend the elimination of current or future debt to Government. We expect that some level of debt will be acceptable when considering the objective of the policy, fairness, efficiency, fiscal costs, and administrative and compliance costs.

What the framework should consider

21. The framework should consider both the policy context for debt and the customer's circumstances.

Principles of debt management

22. These principles represent overarching values that apply generally to all categories of debt. They are intended to provide key considerations for managing debt and might trade off against one another.

- **Fairness** — Each type of debt should be treated in a consistent way, regardless of the agency that administers the debt. Individuals in comparable situations should receive comparable treatment.
- **Minimising hardship** — Debt repayments should not place people into hardship or exacerbate existing hardship.
- **Behavioural responses** — Collection mechanisms, such as write-offs or policies relating to recoverable versus non-recoverable support, should not create perverse incentives (i.e., they should not incentivise individuals to incur debt because they expect not to have to repay it).
- **Public value** — The public value of holding the debt should be considered. The cost of administering the debt should be weighed against the actual revenue collected.
- **Transparency** — The administration of debt should be simple and clear (from both clients', and an administrative, point of view). Clients should understand how the debt arose, what is driving the recovery approach, and what their options are in case of hardship.

Policy context

23. Debt to Government arises as a result of various Government policies that are intended to achieve different outcomes for New Zealanders.

24. These include collecting revenue to pay for services provided by the Government, providing financial support or services to New Zealanders when they need it, ensuring that child support is collected and passed on to caregivers, or encouraging compliance with various laws.

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Categories of debt

25. We have organised debt into the following categories according to the underlying policy settings which give rise to the debt:

- **Crown Revenue** — Revenue owed to the Crown.
- **Overpayments of Government Support** — Unintended result caused by incorrect or late information about eligibility or assessment.
- **Loans or Repayments for Services Provided by the Crown** — Loans or repayments for services provided to individuals who meet specific criteria e.g., student loans. Repayment is expected and agreed by the recipient from the outset.
- **Debt Owed to Third Parties** — Legal obligations between individuals that are administered by government agencies.
- **Penalties or Fines** — Penalties for non-compliance with legislative rules. They are intended to produce a behavioural response.
- **Interest** — Compensation for the lost time value of money on overdue payments to Government agencies, fairness to other people who pay debt on time, and ensuring there is no behavioural incentive for delaying payment.
- **Fraud** — Any debt that is the result of customer fraud. This category of debt is defined by customer behaviour rather than by policy context, which means debts from other categories which are the result of fraud will fall into this category.

Dimensions of debt management

26. These dimensions represent the relevant concerns regarding the creation and collection of debt. Their definition is phrased as a question in order to elicit a response which stakes a position in relation to each dimension. The question is asked of each category of debt. By using the dimensions in this way, we are able to:

    26.1 sketch out a view of how a specific category of debt should be treated, and

    26.2 provide a common set of criteria to make the treatment of each category of debt coherent.

27. **Cancellability** — How ready are we to write off the debt, to what extent and for what reason(s)?

28. **Priority** — How highly do we prioritise collecting this debt in relation to other debts? We determine priority in reference to **cancellability** — greater willingness to write-off a debt signifies that it is less important to collect this debt relative to less cancellable debts, thus determining priority of collection.

29. **Timespan** — What is the appropriate timeframe for collecting this debt?

    29.1 **Extensions and suspensions** — If a debt can be collected over a longer timeframe, is it appropriate to apply repayment extensions or suspensions?

    29.2 **Rate of repayment** — Given the timeframe for collection, what is an appropriate rate of repayment?

30. **Interest** — Is it appropriate to apply interest to this type of debt?

31. **Penalties** — Is it appropriate to apply penalties to this type of debt?

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Dimensions Applied to Categories of Debt

	Crown Revenue	Overpayments of Government Support	Loans or Repayments for Services Provided by the Crown	Debt Owed to Third Party	Penalties and Fines	Interest	Fraud
Policy Context	Collection of the highest net revenue over time while promoting integrity and fairness in the tax system.	These are payments that individuals may receive from the government. Overpayments are particularly common where entitlement is targeted by multiple eligibility criteria and amounts are means-tested. In particular, because rules focus on end-of-period accuracy of entitlement, it can lead to overpayment if information about circumstances is late or incorrect.	Giving people financial assistance or access to services at the time they need it. Repayment is expected and agreed by the recipient from the outset. Assumes that the person has a future ability to service the loan	Government agency as clearing house and enforcer. Public policy reasons (such as efficiency) for Government to administer payments between individuals.	These are levers to influence behaviour and promote integrity. Both penalty imposition and write-offs can be used to incentivise behaviour.	To compensate the Crown for the time value of amounts owed, and to ensure fairness for other people who pay on time.	In some cases (particularly relating to the categories of Crown Revenue and Overpayments of Income Support), debt can arise from abuse of the rules.

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Examples	Income tax (IR). Child support owed by liable parent that is retained by the Crown (IR).	Overpaid WfF tax credits (IR). Overpayments of benefits (MSD).	Legal aid (MOJ). Cost contribution orders (MOJ). Recoverable grants (MSD). Kāinga Ora rent arrears (Kāinga Ora). Student loans (IR)	Child support owed by liable parent to receiving carer (or overpayments of child support to receiving carer) (IR). Reparations to victims of crime (MoJ). Civil debt (MoJ).	Court imposed fines (MoJ). Late payment penalties (tax, student loan penalty interest and child support) (IR). Tax shortfall penalties (IR). Penalty added to fraudulent debt (MSD).	UOMI on overdue tax (IR). Student loan interest for OBB (IR). Interest on legal aid (MOJ).	A person has deliberately provided incorrect information to obtain a Working for Families tax credit or a welfare payment that they are not entitled to.
Cancellability — how ready are we to write off the debt, to what extent and for what reason(s)?							
Priority — how highly do we prioritise collecting this debt in relation to other debts?							

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Timespan – how soon should we look at collecting the debt and over what time?							
Do we apply interest to this debt? (time value)							
Do we apply penalties to this debt? (behavioural and punitive)							

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Customer circumstances

32. Collectively, agencies should consider not only the policy context of debt, but also the debt's impact on customers given their circumstances. A person's circumstances (including debt owed to other government agencies) should be considered both when the debt arises (if appropriate) and when the debt is collected, as these could impact their ability to repay the debt.

33. Relief and hardship provisions should consider the following factors at the different stages of debt:

    33.1 Creation: how does the debt arise e.g., where there is discretion for a debt to be created, is it appropriate to establish this debt for an individual given potential or actual hardship?

    33.2 Recovery: the maximum rate of recovery, timing of recovery (deferral or suspending the debt) and the steps taken to recover debt. Debt repayment should be sustainable over time, taking into account a person's ability to meet repayments without being put into further hardship. Agencies should have the information they need to assess whether a person's debt repayments are sustainable given their financial and personal circumstances, including other payment obligations to Government. They should be able to advise the person about other, non-repayable income support that might be available to them.

    33.3 Write-off: when is it appropriate to consider a write-off?

Relieving debt on the basis of hardship

34. Hardship relief can be granted by writing off all or part of the debt, requiring payment to be made in instalments, or deferring the debt. There may be other appropriate ways of relieving the impact of the debt that are not reflected in existing policy settings, such as community work instead of financial penalties. The appropriate collection method should take into account both the purpose of the policy and whether collection would put a person into hardship.

35. The definition of hardship currently varies across and within agencies. As part of developing the framework, there is a decision to be made about:

    35.1 whether the existing definitions are appropriate

    35.2 whether an existing definition should be used and applied consistently, or

    35.3 whether a new definition should be developed to be used consistently across agencies.

36. Decisions may also need to be made about the level of discretion agencies should be allowed to have when applying these definitions and guidelines.

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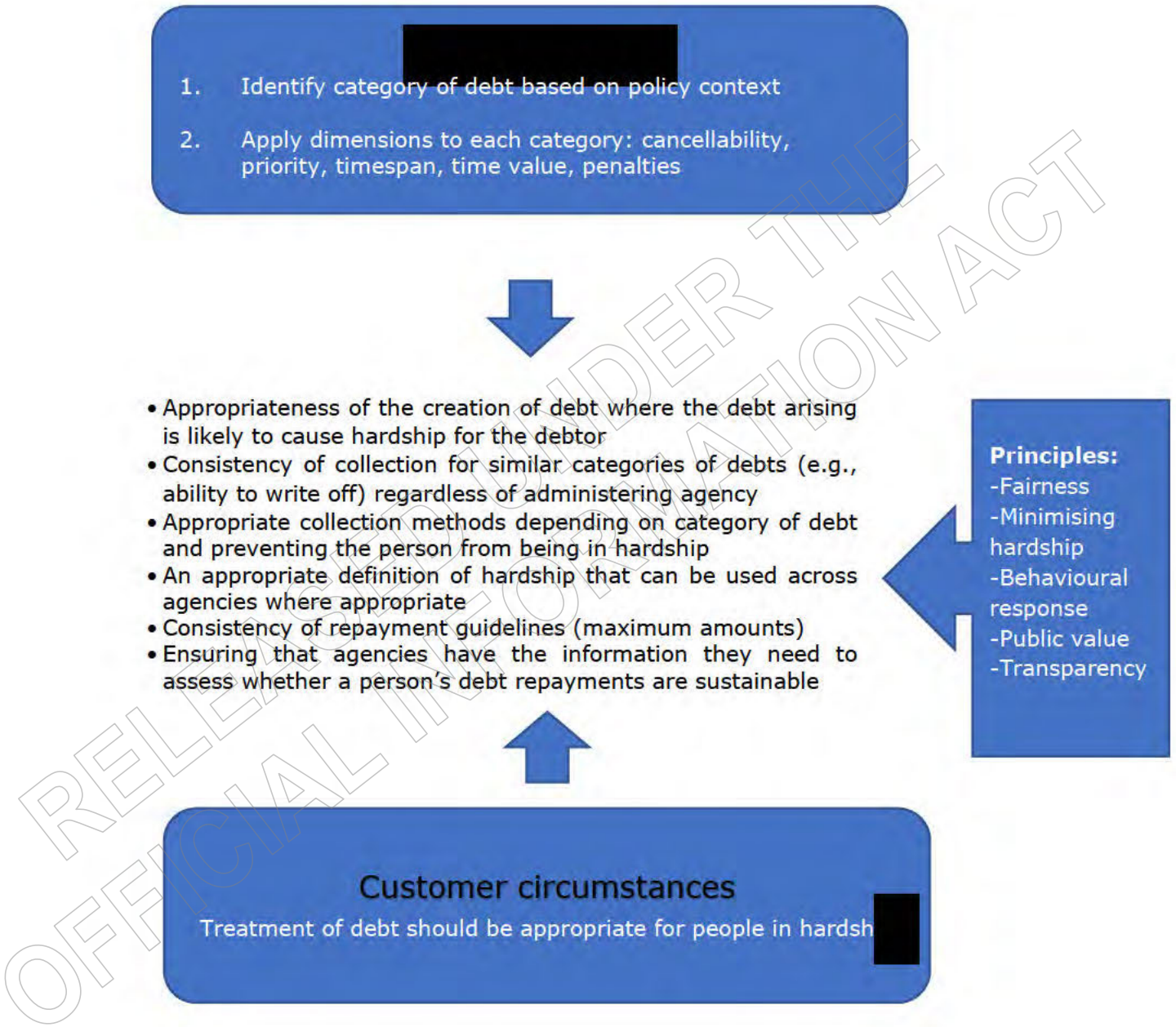
Figure 1: How consideration of the policy context and customer circumstances interact

37. *Figure 1* illustrates the interaction between consideration of the policy context and customer circumstances.



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Next steps

38. We propose that the next steps towards developing the framework should be:

How the framework should apply

39. Deciding how the framework should apply will influence the scope of work that may arise from agreeing to the framework. This choice will therefore depend on the level of ambition and resource commitment that the Government wants to attach to the framework. We will discuss this with you, and the approach for the next Cabinet paper on this work — whether to propose how the framework should apply, or seek Cabinet's direction.

Categorisation of current debt

40. We intend to outline how government debt within different categories are currently treated.

Developing preferred approach for each category of debt

41. The next step will be to develop the preferred approach for managing each category of debt. An example of how this may work might be that fraud-related debt should not generally be written off, nor should debt that is being collected for a third party. This will include worked examples to compare the ideal treatment to the status quo.

Definition of hardship

42. As part of developing the framework, consideration should be given to reviewing the definition of hardship.

Options for change arising from framework

43. Depending on the approach taken to applying the framework, options for changes to operational processes and policy would be developed after the framework has been further refined. It is likely that most changes would have some associated cost, and this could be significant depending on the approach taken to applying the framework and the ambition for change.

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[IN CONFIDENCE]

Inland Revenue
Te Tari Taake

MINISTRY OF SOCIAL DEVELOPMENT
TE MANATŪ WHAKAHIATO ORA

DEPARTMENT OF THE PRIME MINISTER AND CABINET
TE TARI O TE PIRIMIA ME TE KOMITI MATUA

MINISTRY OF JUSTICE
Tāhū o te Ture

Policy report: Debt to Government: Draft Cabinet paper

Date:	17 June 2022	**Priority:**	Medium
Security level:	In Confidence	**Report number:**	IR2022/320 DPMC2021/22-2346 REP/22/6/568

Action sought

	Action sought	Deadline
Parliamentary Under-Secretary for Revenue	**Approve** the attached Cabinet paper **Refer** report to Minister for Child Poverty Reduction, Minister for Social Development and Employment, Minister of Revenue, Minister of Justice, and Minister of Housing	24 June 2022

Contact for telephone discussion (if required)

Name	Position	Telephone
Clare Ward	Executive Director, Child Wellbeing and Poverty Reduction, Department of the Prime Minister and Cabinet	s 9(2)(a) OIA
Samantha Aldridge	Principal Policy Advisor, Inland Revenue	s 9(2)(a) OIA
Nicholas Fitzpatrick	Principal Analyst, Ministry of Social Development	s 9(2)(a) OIA

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[IN CONFIDENCE]

Anna Ferguson	Senior Advisor, Access to Justice, Ministry of Justice	s 9(2)(a) OIA
Daniel Kurvink	Principal Advisor, National Service Delivery, Ministry of Justice	s 9(2)(a) OIA

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[IN CONFIDENCE]

17 June 2022

Parliamentary Under-Secretary of Revenue

Debt to Government: Draft Cabinet paper

Purpose

1. This report seeks your approval of the attached draft Cabinet paper reporting back on the Debt to Government work programme, to be considered by the Social Wellbeing Cabinet Committee on 27 July 2022.

Background

2. The Prime Minister, in her capacity as the Minister for Child Poverty Reduction, has initiated cross-agency work on ways to prevent and reduce the level of debt owed to government. Cabinet has noted that the Debt to Government work is an important part of addressing child poverty.

3. Cabinet has agreed the work should have the dual focuses of:

    3.1 ensuring debt recovery is fair, effective, and avoids exacerbating hardship; and

    3.2 preventing debt from occurring so that it does not create future problems for those in hardship.

4. In November 2021, Cabinet invited the Minister for Child Poverty Reduction, Minister for Social Development and Employment, Minister of Revenue, and Minister of Justice to report back to the Social Wellbeing Committee by July 2022 on:

    4.1 the outcome of the Phase One work set out in the paper under SWC-21-SUB-0171, including options and recommended actions for Ministerial consideration, as well as the inclusion of rent arrears owed to Kāinga Ora, and other forms of housing and rent-related debt in the Phase One work programme; and

    4.2 the plan for Phase Two, which will set out the approach to making longer-term, more comprehensive changes, and any likely funding or legislative implications.

5. We have reported to you in the first half of this year on the scope of the Debt to Government work, progress of initiatives, and development of the overarching framework.

Consultation

6. Te Tūāpapa Kura Kāinga - the Ministry of Housing and Urban Development and Kāinga Ora have been consulted as part of this work and their comments incorporated into the draft Cabinet paper.

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[IN CONFIDENCE]

7. The draft Cabinet paper will also be circulated to the Social Wellbeing Board (consisting of the Department of the Prime Minister and Cabinet, Ministry of Justice, Oranga Tamariki, Ministry of Health, Police, Inland Revenue, Te Tūāpapa Kura Kāinga - the Ministry of Housing and Urban Development, Te Puni Kōkiri, the Ministry of Social Development and the Ministry of Education) for comment.

Next steps

8. Subject to any changes you would like made to the attached draft Cabinet paper, we recommend that it be forwarded to Joint Ministers (the Minister for Child Poverty Reduction, Minister for Social Development and Employment, Minister of Revenue, Minister of Justice) and the Minister of Housing for their review.

9. After receiving any feedback from Ministers we expect to provide a final version of this Cabinet paper in early July to joint Ministers to confirm their approval, and circulate for Ministerial consultation.

10. The Cabinet paper needs to be lodged by 21 July for consideration at the Social Wellbeing Committee (SWC) on 27 July.

Recommendations

11. We recommend that you:

    11.1 **approve** the attached draft Cabinet paper;

    Approved/not approved

    11.2 **indicate** if you would like to discuss the attached paper with officials;

    Discussion needed/discussion not needed

    11.3 **refer** the draft Cabinet paper to the Minister for Child Poverty Reduction, Minister for Social Development and Employment, Minister of Revenue, Minister of Justice, and the Minister of Housing for their review.

    Referred/not referred

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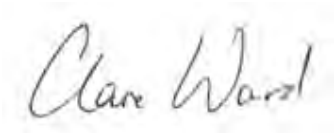
[IN CONFIDENCE]



Clare Ward

Executive Director

Child Wellbeing and Poverty Reduction

Department of the Prime Minister and Cabinet

Bede Hogan

Policy Manager, Income Support

Ministry of Social Development

Samantha Aldridge

Principal Policy Advisor

Inland Revenue

Helen McDonald

Policy Manager, Access to Justice

Ministry of Justice

Dr Deborah Russell

Parliamentary Under-Secretary for Revenue

/ /2022

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Inland Revenue
Te Tari Taake

MINISTRY OF SOCIAL DEVELOPMENT
TE MANATŪ WHAKAHIATO ORA

Policy report: **Debt to Government: Comparing IR and MSD's approaches to writing off debt**

Date:	27 June 2022	**Priority:**	Medium
Security level:	In Confidence	**Report number:**	IR2022/308 REP/22/6/553

Action sought

	Action sought	Deadline
Parliamentary Under-Secretary to the Minister of Revenue	**Note** the contents of this report. **Refer** report to Minister for Child Poverty Reduction, Minister for Social Development and Employment, Minister of Revenue, Minister of Justice and Minister of Housing.	N/A

Contact for telephone discussion (if required)

Name	Position	Telephone
Samantha Aldridge	Principal Policy Advisor, Inland Revenue	s 9(2)(a) OIA
Adaire Koia-Ward	Senior Policy Analyst, Ministry of Social Development	s 9(2)(a) OIA

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27 June 2022

Parliamentary Under-Secretary to the Minister of Revenue

Debt to Government: Comparing IR and MSD's approaches to writing off debt

Summary

1. This report provides a comparison of the write-off powers that are available to Inland Revenue (IR) and the Ministry of Social Development (MSD) when dealing with debt caused by the overpayment of Working for Families (WFF) tax credits and benefits, as well as recoverable assistance.

2. IR's write-off powers are generally broader than MSD's. They reflect principles of tax administration including the collection of the highest net revenue over time, given the Commissioner's resources, and the encouragement of voluntary compliance with the tax system. MSD's reflect a stricter obligation to take all reasonably practicable steps to recover debt.

Recommended action

We recommend that you:

3. **note** the contents of this report that compares the debt write-off powers available to Inland Revenue and the Ministry of Social Development;

   Noted

4. **refer** a copy of this report to the Minister for Child Poverty Reduction, Minister for Social Development and Employment, Minister of Revenue, Minister of Justice and Minister of Housing for their information;

   Referred/Not referred

Bede Hogan
Policy Manager, Income Support
Ministry of Social Development

Samantha Aldridge
Principal Policy Advisor
Inland Revenue

Dr. Deborah Russell
Parliamentary Under-Secretary to the Minister of Revenue
/ /2022

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Purpose and context

5. Following your request for information on 13 May, this report compares IR and MSD's approaches to writing off debt. It provides information from each agency on the legislative provisions allowing them to write off debt (in the context of each agency's role and functions) and their operational practices.

6. Information on IR's approach relates to debt created via the overpayment of WFF tax credits.[1] The write-off powers discussed in this paper are not necessarily applicable to other payments administered by Inland Revenue, such as student loans and child support. Information on MSD's approach relates to debt created via the overpayment of benefits and recoverable assistance.

Inland Revenue's approach to WFF debt

The creation of debt

7. WFF entitlements are calculated as an annual figure according to a customer's income and family circumstances. Customers may receive their entitlement during the year (weekly or fortnightly) or at the end of the tax year.

8. If a customer's income or circumstances change during the year, this will change their entitlement. If they are receiving payments weekly or fortnight, failure to update IR of these changes in a timely manner may result in an overpayment. Customers who receive payments at the end of the year can also be overpaid if their initial entitlement is recalculated (e.g., if additional income is declared after the end of year 'square up' is completed).

9. Not all WFF overpayments result in debt as they only become debt after the repayment is due. The due dates will vary depending on the customer's filing obligations.

Legislative provisions

10. The Tax Administration Act 1994 (the Act) has an overarching provision which requires the Commissioner to collect the highest net revenue over time that is practicable within the law, having regard to the resources available to the Commissioner, the importance of promoting compliance (especially voluntary compliance), and the compliance costs incurred by taxpayers.

11. The Income Tax Act 2007 provides that the Commissioner may recover WFF overpayments from a customer as if the amount was income tax payable by that customer. Therefore, the same powers that apply to the collection of tax also apply to the collection of WFF overpayments.

12. The Act gives the Commissioner powers to provide relief by writing off debt, remitting penalties/interest, or entering into instalment arrangements where this is considered appropriate.

13. A debt, including any shortfall penalties, cannot be written off where the customer is liable to pay a shortfall penalty for either taking an abusive tax position or evasion in relation to the debt. However, late filing penalties, late payment penalties, and use of money interest on the underlying tax can still be written off.

[1] Although MSD administers the payment of some WFF tax credit components for its customers (Family tax credit and Best Start tax credit payments), all WFF debt is established, managed, and collected by IR.

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14. If, after considering the taxpayer's circumstances, the Commissioner concludes that relief under the Act is not appropriate, they may either collect the amount owing or apply to have the taxpayer made bankrupt.

15. Relief powers available under the Act are summarised below.

Relief powers

16. An amount of WFF debt may be written off if collecting it:

    16.1 would place the taxpayer in "serious hardship"; or

    16.2 is considered an inefficient use of IR's resources.

17. The concepts of serious hardship and inefficient use of resources, as they apply to IR administration, are discussed below.

18. The following relief powers are also available to IR:

    18.1 Where an amount is considered irrecoverable, the Commissioner may write it off.

    18.2 When a taxpayer is made bankrupt, is liquidated, or their estate has been distributed, the Commissioner must write off amounts that cannot be recovered.

    18.3 Interest or certain penalties may be remitted if to do so is consistent with the Commissioner's duty to collect the highest net revenue over time through voluntary compliance.

    18.4 A remission of penalties/interest may be granted if an event/circumstance beyond the customer's control provides a reasonable justification for not meeting their obligations (for which they were given the penalty), for example, a death or illness of a family member.

    18.5 Interest may be remitted when there has been an emergency event declared in an Order in Council which prevented the taxpayer from making the payment.

    18.6 The Commissioner will write off outstanding tax/debt when the balance payable after the end of the tax year is $50 or less i.e., is 'de minimis'[2].

19. There is no specific provision allowing for the write-off of debt when it arises from IR error. However, IR error will be taken into consideration when determining whether to grant relief on other grounds.

Serious hardship

20. Where a customer is unable to make repayment in full, they may request their debt be written off under the serious hardship provision. Customers may be asked to fill out a hardship relief request form and provide documentation to prove they are in hardship.

21. The Tax Administration Act sets out categories which staff use to determine whether a customer is in serious hardship. A customer may be in serious hardship when:

    21.1 they or their dependant has a serious illness;

[2] For IR3 filers (the self-employed) the balance must be $20 or less.

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21.2 they would likely be unable to meet minimum living expenses estimated according to normal community standards of cost and quality;

21.3 they would likely be unable to meet the cost of medical treatment for an illness or injury of the taxpayer, or of their dependant;

21.4 they would likely be unable to meet the cost of education for their dependant; or

21.5 any other factor that the Commissioner thinks relevant would likely arise.

22. If a customer is determined to be in serious hardship, relief options include:

22.1 a full or partial write-off (including fully writing off core tax, interest, or penalties);

22.2 an instalment arrangement to pay some or all of the debt; or

22.3 a combination of the two.

23. Customers who enter an instalment arrangement may either make payments themselves or have their weekly/fortnightly WFF entitlement reduced to cover repayments (this option must be initiated and agreed to by the customer).

Inefficient use of resources

24. The Act gives the Commissioner the discretion to write off debt where collecting outstanding amounts is expected to be an inefficient use of the Commissioner's limited administrative resources.

25. IR determines which WFF debts to write off automatically under this provision according to the value of the debt and the customer's family scheme income. Customers who have any of the following in place will be excluded from the automatic write-off:

25.1 any active account halts

25.2 an open or pending audit case

25.3 legal action underway

25.4 fraud indicators

25.5 a repayment arrangement

26. Precise parameters for the debt value and family scheme income are determined on an annual basis in consideration of factors such as economic conditions in New Zealand and consistency with write-offs for other products (e.g., Income Tax). These parameters are not provided to staff or customers. s 18(c)(i) OIA [redacted].

27. WFF debt may also be written off as an inefficient use of the Commissioner's resources on a case-by-case basis.

28. There will be some instances where the Commissioner will pursue debt even though the cost of collection may be higher than the outstanding tax because of their obligation to ensure the integrity of the tax system and promote taxpayer compliance (e.g., where the debt is connected to fraud).

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Factors to consider for discretionary relief

29. All the Commissioner's powers to provide relief are discretionary, excepting where a taxpayer is made bankrupt, is liquidated, or their estate has been distributed. In addition to the legislative criteria, when deciding whether to grant discretionary relief the Commissioner may consider the following, more general, factors:

    A. Taxpayer's financial position:

    B. Options available to the Commissioner

    C. Integrity of the tax system

    D. Resources available to the Commissioner

    E. Importance of promoting compliance

    F. Taxpayer's reasons for failure to pay

    G. Taxpayer's compliance history

    H. The taxpayer's co-operation

    I. Steps taken to avoid similar situation in future

30. These are not listed in order of importance; the factors that apply and the weighting they are given will depend on the particular case. Some factors may not apply to certain forms of relief.

31. Inland Revenue's Standard Practice Statement SPS 18/04 provides more detail on these factors and on the application of all the relief options described above.

Data on IR write-offs

32. As at July 2021, IR held $198 million in WFF debt. During the 2020/21 fiscal year IR wrote off just over $40 million in WFF debt.[3]

33. As at July 2021, 44,066 families owed WFF debt to IR with an average debt of $3,242. The median debt was $1,666.

34. Figure One shows the amount of WFF debt written off by IR during the 2020/21 fiscal year by reason for the write off:

***Figure One**: Amount of WFF debt written off by reason in the 2020/21 fiscal year:*

Fiscal year	Volume or percentage of debt	Reason				
		Serious hardship	Inefficient	Covid-19	All other reasons	Total
2020/21	V	$19,828,893	$10,778,976	$6,313	$10,228,066	$40,842,250
	P	48%	26%	0.01%	25%	100%

[3] The debt held does not include what was written off during the year.

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The Ministry of Social Development's approach to Recoverable Hardship Assistance and benefit overpayment debt

Recoverable Hardship Assistance and Overpayment debt

35. As at 31 March 2022, there was more than 578,000 people with debts to MSD, which average $3,498 per person.[4] In the 2021/22 full year to 31 March 2022, MSD has written off around $16.3 million in debt or approximately 0.76 percent of the total debt of $2.133 billion (as at 31 March 2022). $1.3 billion is attributed to current clients (62 percent).

Recoverable Hardship Assistance debt is established to help the client meet an immediate and essential need

36. Hardship assistance is the third tier[5] of assistance in the welfare system. It provides discretionary assistance and is generally one-off. It consists of Special Needs Grants (SNG), of which some are recoverable, and Advance Payments of Benefits (Advances) and Recoverable Assistance Payments (RAPs), which are always recoverable.[6]

37. Hardship Assistance is relatively unique in that hardship is the driver for granting recoverable assistance. Eligibility for hardship assistance is targeted at those with limited cash and assets who have immediate and specific needs that cannot be met by their own resources. For recipients of recoverable hardship assistance, debt occurs when clients contact MSD and request support to meet their immediate and essential needs.

Overpayment debt can occur when a client's personal or financial circumstances change

38. Overpayment debt can occur when a clients' circumstances change and MSD does not receive this information in time to update their payments accordingly. Clients are required to notify MSD of any change in their circumstances, including income they receive that affects their benefit entitlement.

39. A few examples include debts created when a client is late in declaring a change in income which would lead to a reduction in MSD payments, or as the result of data matching with other agencies or following a fraud investigation.

Legislative provisions to write off and recover debt

40. The Social Security Act 2018 (the Act) imposes a legislative duty on MSD to take all reasonably practicable steps to recover debt and empowers MSD to recover debts to the Crown.[7] This is reflected in MSD's current recovery and write-off provisions.[8]

41. Section 362 of the Social Security Act 2018 establishes MSD's duty to recover debts. It recognises that welfare assistance is a major form of public expenditure and that the public is entitled to expect that MSD will effectively recover welfare debts. This is also part of MSD's obligations to manage public money responsibly under the Public Finance Act 1989.

[4] Note that this figure includes all types of debs, including recoverable assistance, overpayments, social housing debt, Student Allowance debt, and fraudulent debt.
[5] The first tier of support in the welfare system is main benefits, the second tier is supplementary assistance.
[6] The third tier also includes on-going support in the form of Temporary Additional Support (TAS) which is a supplementary limited time payment for those who cannot meet their regular essential living costs from chargeable income and other resources, and Emergency Housing Special Needs Grants (EHSNGs) and Housing Support Products (HSPs) which are both recoverable.
[7] Defined at regulation 206 of the Social Security Regulations 2018.
[8] Social Security Act 2018, section 362.

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42. MSD must determine a rate or method[9] of debt recovery, but MSD has discretion about what this can be, including the option to defer (suspend) recovery, and these can be amended as clients' circumstances change.[10]

43. MSD does not enforce penalties on debt except in cases of fraud, but this is only used in a small number of circumstances.

44. The Act also provides for exceptions to the duty to recover debt made in the Social Security Regulations 2018 (the Social Security Regulations) and Ministerial Directions.[11] There are currently four main exceptions to MSD's duty to recover debt:

    44.1 if the debt was caused by error;

    44.2 if exceptions are provided for in the Social Security Regulations;

    44.3 if the debt is uneconomic to recover; or

    44.4 if the Ministers of Finance and Social Development and Employment have agreed to exceptions for public finance reasons.

45. These exceptions are explained further below.

Social Security regulations provide for how to test debts to determine whether the debt was caused by MSD error

46. Social Security Regulations provide for new debts, including recoverable assistance and overpayment debts, to be tested to determine if that debt was created by MSD error to establish whether it should be recovered.[12]

47. Debt caused by MSD error must meet all of the following five criteria to be considered non-recoverable:

    47.1 the debt is a result of an error by MSD;

    47.2 the client did not intentionally contribute to the error – i.e., whether the client intentionally or deliberately took some action, or failed to take action, or delayed action which resulted in an overpayment;

    47.3 the client changed their position – i.e., when a client makes different financial decisions with the overpayment received than they would have without that additional money;

    47.4 the client received the money in good faith – i.e., the client received the money without any knowledge of their lack of entitlement to it; and

    47.5 it would be inequitable to recover the debt – this requires full consideration of their current circumstances, including their financial position, whether they have the resources to repay the debt, and the degree of any error made by Work and Income.

The Minister for Social Development and Employment and the Minister of Finance have jointly given an authorisation about some debts that can be written off[13]

[9] Including court proceedings and deductions from benefits and other sources.
[10] Clause 4 of the Ministerial Direction states MSD must give consideration to certain matters in relation to rate and method of recovery.
[11] Ministerial Direction on Debt Recovery Amendment 2016 and Delegation from the Minister of Finance and the Minister for Social Development and Employment to the Chief Executive of the Ministry of Social Development to Write-off Crown Assets 2020.
[12] Social Security Regulations 2018, regulation 208
[13] Social Security Regulations 2017, regulation 207(3)

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48. The Minister of Finance and the Minister for Social Development and Employment can also use the ability in Social Security Regulations[14] to specify certain types of debt which can be written off and delegate, pursuant to the Public Service Act 2020, the authority to write off debts under a specific set of circumstances to the Chief Executive of MSD. An authorisation to this effect has been given, and specified circumstances include when:

    48.1 the proceeds of the sale of assets seized by Court order are paid to the Crown;
    48.2 the debt or identity of the debtor cannot be proven;
    48.3 the debtor is insolvent;
    48.4 the agent is insolvent;
    48.5 the debtor is deceased;
    48.6 the debt is due to foreign exchange balances (due to agreement of payment amount in foreign currency and fluctuations of exchange rates);
    48.7 all economic avenues of collection have been exhausted and the debt is $50 or less;
    48.8 the debt cannot be recovered due to estoppel in accordance with the Property Act 2007 (this is in relation to student debt);
    48.9 the debtor is a participant in a Witness Protection or Relocation Programme;
    48.10 the debt cannot be proven to the Court's satisfaction; or
    48.11 the debt established cannot be recovered in accordance with debts caused wholly or partly by errors to which debtors did not intentionally contribute (regulation 208 of the Social Security Regulations[15]).

MSD may defer (provisionally write off) debts of less than $20,000

49. MSD defines uneconomic to recover[16] to be when the cost of recovery outweighs the expected return of debt. MSD currently automatically writes off debts of $50 or less of non-current clients after 70 days of non-payment.

50. This threshold is based on analysis from 2015 that found that the average cost of collection is $59.80 per debt. At the time, increasing the write-off limit to $50 aligned MSD with other agencies' write-off powers and was appropriately balanced with the risk of changing client repayment behaviours.

51. This approach was reaffirmed through the 2020 Delegation from the Minister of Finance and the Minister for Social Development to the Chief Executive of the Ministry of Social Development to Write-off Crown Assets (discussed above).

52. Debts of higher amounts can also be assessed to determine whether collection of that debt is appropriate if:[17]

    52.1 the debt is less than $200 and there have been no repayments during the previous six months;

    52.2 the debt is less than $1000 and there have been no repayments during the previous 12 months;

    52.3 the debt is less than $2000 and there have been no repayments during the last 2 years; or

[14] Social Security Regulations 2018, regulation 207(1)(d)
[15] Previously section 86(9A) Social Security Act 1964.
[16] Social Security Regulations 2018, regulation 207(1)(c).
[17] These timeframes only apply in cases where fraud is not a factor i.e., there are separate conditions for cases of fraud. Some values of debt also require other conditions regarding client identification to be met.

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52.4 the debt is more than $2000 but less than $20,000 and there has been no ability to gain repayment or communicate with the debtor for at least six years.

53. Debts written off under these grounds can be reactivated once the client accesses social security (including superannuation) again, as recovery is once again feasible. This approach aligns with MSD's duty to recover debt.

Debt recovery is written off according to conditions in the Social Security Regulations

54. The Act empowers regulations to be made permitting changes to debt write-off settings.[18] However, since the changes to primary legislation in 2014 which clarified MSD's duty to recover debt, no further debt recovery regulation changes have been made by Government.

55. When making new or amending existing regulations to permit any methods of write-off, the Minister for Social Development and Employment must be satisfied that these changes are likely to:

55.1 prevent accumulation of debt by any category of beneficiary and assist those beneficiaries to reduce their levels of debt while on a benefit;

55.2 assist any category of beneficiary to move from dependence on a benefit to self-support through employment by ensuring that those beneficiaries do not face increasing benefit debt repayments when they enter the workforce;

55.3 provide a positive incentive for beneficiaries to enter employment or stay in employment; or

55.4 achieve more than one of these objectives.

56. Any changes to current settings would have fiscal and operational implications.

Comparing IR and MSD's approaches to writing off debt

Agency functions

57. Under the Tax Administration Act 1994, the Commissioner of IR is charged with the care and management of the tax system, which includes WFF tax credits. This includes a duty to collect the highest net revenue over time that is practicable within the law, having regard to the resources available to the Commissioner, the importance of promoting compliance (especially voluntary compliance), and the compliance costs incurred by taxpayers. IR's write-off powers reflect these responsibilities.

58. By contrast, MSD's debt recovery and write-off powers are primarily focused on its legislative duty to recover debt. Section 362 of the Social Security Act 2018, establishing MSD's duty to recover debts, recognises that welfare assistance is a major form of public expenditure and that the public is entitled to expect that MSD will effectively recover welfare debts.

Legislative provisions

59. There are two significant differences between IR and MSD's powers to write off debt.

60. First, IR may do so where a customer is considered to be in serious hardship. Although MSD may take a customer's circumstances into account when determining

[18] Social Security Act 2018, ss 444 and 448. Regulation 207(1)(b), subpart 11, Social Security Regulations 2018.

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repayment arrangements (or any subsequent amendments to existing arrangements), they may not write off debt because a customer is in hardship.

61. Second, IR's power to write off debt as an inefficient use of the Commissioner's resources is much broader than MSD's power to write off debt as uneconomic to recover. IR has discretion to determine annual parameters for writing off debt as part of an automatic process at the end of the year (in addition to the automatic $50 de minimis write-off). s 18(c)(i) OIA In comparison, MSD's power has a much narrower scope. MSD writes off up to $50 in debt for non-current clients after 70 days of non-payment, but for amounts in excess of $50, collection is prioritised, or deferred if MSD is unable to get into contact with the person.

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[19] s 18(c)(i) OIA .

Aide-mémoire

MINISTRY OF SOCIAL DEVELOPMENT
TE MANATŪ WHAKAHIATO ORA

Cabinet paper

Date: 27 September 2022 **Security Level:** Budget Sensitive

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

File Reference: REP/22/9/915

Debt to Government – Report back and next steps

Cabinet Committee	Social Wellbeing Committee
Date of meeting	28 September 2022
Proposal	This paper provides an update on the Debt to Government work programme and seeks Cabinet approval for the next steps of the work programme. This includes Cabinet's endorsement of the direction the framework is taking and agreement to the proposed plan for finalising it, which will include consulting with government agencies on the framework and its potential application. The contents of the Cabinet paper cover elements of both the wider cross-agency Debt to Government work programme and Ministry of Social Development (MSD)-specific contributions. This aide-mémoire provides you with information regarding the key impacts of MSD-related work; we understand Dr Deborah Russell will share Inland Revenue (IR) speaking points with you regarding the broader work.
MSD contributions	*Hardship Assistance – Budget 2022 initiatives* Budget 2022 progressed multiple changes to hardship assistance. The first permanently increased the income limits for Special Needs Grants, Recoverable Assistance payments, and Advance Payments of benefit as well as indexing the limits to average wage growth from 1 April 2023. The second will increase the maximum Special Needs Grant for immediate and essential dental treatment from $300 to $1,000 and continue to allow the limit to be exceeded in exceptional circumstances.

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Budget 2022 also progressed a new Housing-Related Hardship Assistance Programme to better assist people to obtain and retain a private rental tenancy. The new programme will be implemented in March 2023.

Hardship Assistance – Budget 2023 proposals

MSD is developing proposals for Budget 2023 to improve Hardship Assistance. The proposals relate to the Hardship Assistance Review regarding grant maxima, cost categories, and recoverability settings.

MSD will seek decisions regarding these initiatives through advice in October 2022, however work to date has been focused on proposals to:

- increase some grant maxima to reflect the actual price of goods and services
- reorganise cost categories and add new cost categories to ensure people's immediate and essential needs are being met, and
- shift the balance of recoverable versus non-recoverable grants, which is expected to reduce the creation of debt for people where non-recoverable assistance is reasonable.

Overpayment debt

Improvements in the information sharing process between MSD and IR in May 2022 increased the ability for MSD to process income changes earlier in the month.

MSD is also changing how it processes income that a client declares after the pay cycle deadline but before the payment is made to the client. If the first phase of this change (where income is declared directly to a staff member, expected to be implemented in 2022) had been in place from 1 May 2021 to 30 April 2022, it is estimated that approximately $880,000 of debt would not have been established.

A longer-term 'ideal state' is one in which MSD can use pay-day income data from IR so that clients do not need to declare wages. This will be progressed as part of MSD's Te Pae Tawhiti business transformation programme which will be implemented over several years.

Common Debtors Pilot

The results of the pilot have been finalised, and work is underway to investigate how to address what the results indicated: the value of increased inter-agency information sharing on debt and debtors, training staff about entitlements from other agencies, and exploring further joint approaches to engaging with common debtors, including with other agencies and/or organisations.

However, more time is needed to work through how to apply the findings and consider options, as the pilot was not designed to be, and will not be, rolled out in its current form.

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	Housing and rent-related debt The Minister of Housing has agreed to the inclusion of several forms of housing and rent-related debt within the Debt to Government work programme, including several forms of debt owed to MSD such as underpayments of Income-Related Rent and the Emergency Housing contribution. Work is also currently underway or planned to examine debt owed to Kāinga Ora; this includes considering potential options for managing this debt. MSD will be working closely with Kāinga Ora and Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development (HUD) as this work progresses.
Framework for debt to government	MSD and the cross-agency working group have revised the timeframe to develop the framework, to allow time to thoroughly consult with other government agencies. This is important as the framework may well be applied to existing or newly developed policy settings related to the treatment of debt to government. MSD supports this approach to the finalisation of the framework. Finalising the framework is the key deliverable for identifying longer-term fundamental reforms that will ensure a consistent and fair treatment across different forms of debt to government. This framework could have significant implications for MSD's work programme depending on how it is institutionalised. The options for institutionalising the framework range from a discretionary application on new policy proposals that could have an impact on individuals' debt, to a prescriptive application of any new or existing policy with debt implications. Given the potentially substantial operational, legislative, and fiscal implications of this decision and the underlying complexity of the policy issues to be worked through, officials advise that there are significant risks if adequate time is not given to developing and consulting on the framework prior to requiring a decision from Cabinet on how it should apply. We understand Dr Deborah Russell will share IR speaking points with you regarding the broader work.

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