Information sources for assessment

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Under the Historic Claims process, the assessment of most allegations included in a claim will be made based on the information held in the personal/family files (including downloaded CYRAS records where available) with consideration given to relevant legislation, policy or practice manuals of the time. An allegation will be taken into account for the purposes of recommending a settlement offer, <u>unless</u> information is identified in the assessment that points against it from the records reviewed.

It is not necessary to identify information which supports an allegation in order for that allegation to be taken into account. Further, given the difficulties of memory and the length of time that some claimants wait before bringing a claim, a misidentification of an alleged perpetrator does not automatically point against an allegation.

A step 2 analysis (refer to Historic Claims Handbook) requires consideration of whether, on the basis of the information gathered, it is reasonable for the allegation to be taken into account for the purpose of making a settlement offer. That analysis involves accessing and reviewing a wider range of records and available information in addition to personal and family files.

The following table provides guidance to the type of records that can be searched for the purpose of assessing a Step 2 assessment. When deciding to access information from these sources, judgement is required, to determine relevancy for the specific allegation (i.e. we should only be seeking to review information which will assist in the assessment of that allegation). Note that no singular source of information exhausts what is referred to as the Historic Claims body of knowledge, and it is likely that a range of sources will need to be reviewed to ensure that an assessment considers all available relevant records and results in a detailed and coherent analysis of the particular claim.

There are three primary information sources available to Historic Claims. Refer to Appendix A for how to use available records to research various allegations.

TRIM and CYRAS

TRIM is the database used to document and manage paper files, including all physical social work records. Records can be requested for the purpose of a Step 2 analysis from TRIM. These searches are undertaken by the Historic Claims administration team.

This can include:

- Personal records (information held about the child's time in care)

- Family records, including sibling records (these provide critical information, given that at times files were created for multiple siblings and a claimant's information may be held in these)
- Adoption records
- Other young peoples' records, where specific to the claim
- Caregiver records
- Staff files
- Residential and institutions records (general information about the operation of residences, as well as admission registers, secure and daily logs and diaries - which provide information about client movements)
- Family Home files
- Section 396 providers.

How to refine a search

TRIM searches can retrieve a high volume of records, and providing specific information about what you are looking for can assist in narrowing down a search to retrieve the most relevant information for the claim. Fill out a Historic Claims file request with as much detail as possible, including accurate spelling of names and dates of birth, any aliases known of the claimant from their time in care. Providing details about the period of care and location will also assist.

CYRAS

CYRAS (which stands for Care and protection, Youth justice, Residences, Adoptions System) is a database which holds the electronic version of a person's care records. It was developed and rolled out in the 1990s. This is not something that will usually need to be searched as CYRAS records for a claimant will be available as part of the personal/family files that are made available prior to an assessment commencing. However, from time-to-time, CYRAS searches may need to be carried out for more contemporary claims where step 2s are being completed as it holds caregiver files and the care records for other family members and young people.

These searches are carried out by the Historic Claims administration team.

EDRMS (aka Objective)

EDRMS is the main information system for National Office staff to save information that records our business activities and decisions. It stands for 'Electronic Document and Records Management System' and is also known as 'Objective' (the name of the vendor). This is one of Historic Claims key information sources, for research in relation to claims (see Appendix A for further details).

Several key documents to have general familiarity of for the purpose of assessment exist in EDRMS, including:

- Social Welfare Residential Care 1950 – 1994 (an overview of residential social work policy and practice in New Zealand which includes profiles on some key residences (research paper prepared by Wendy Parker)

- "Understanding Kohitere" (a qualitative report about Kohitere)

- 20th Century Social work in Aotearoa New Zealand – an overview of legislation policy and practice

- White case guidance (primarily for claims relating to Epuni and Hokio in the 1960s and 1970s)

Historic Claims Application

The Application provides a wealth of information including past assessed allegations. Refer to the Historic Claims Application guides on Confluence for operating within this space.

Using filtering, you can research:

- Allegations and assessed allegations (including whether the criteria for assessment was met)
- Staff member and caregiver names of alleged perpetrators
- Alleged perpetrator descriptions
- Residences/institutions and homes
- Time periods of abuse and practice failures
- Location of abuse
- Descriptions of abuse

It is important that you always return to the source document where possible (e.g. a claimant's assessment document) to ensure that you have the context about previously assessed allegations or specific details captured in the Application.

Claimant records

Where a record has been created outside of a claimant's involvement as a child with Child, Youth and Family or its predecessors and is therefore not directly related to their claim (e.g. where a claimant, as an adult, has applied to be a caregiver), consent should be sought from the claimant before seeking to access this record to ascertain if it might contain information relevant to their claim. Where provided, this consent should be clearly recorded in the claimant's EDRMS record and noted in the claimant's assessment record. Where consent is not provided, the claimant's wishes should be respected even if the record might contain relevant information.

Information held by the Ministry that has been provided by the claimant for another purpose (e.g. information provided to Service Delivery for benefit purposes) is not to be accessed for the purpose of completing the assessment of a claim.

Undertaking a search where a placement cannot be confirmed in personal/family records for a claim assessment

Where a placement for a claimant cannot be confirmed from personal and family files, and based on the information gathered we believe that the reason we have been unable to confirm this placement is due to missing information/files, additional steps should be taken in an attempt to confirm this (for a claim assessment or step 2). This may involve reviewing any potentially relevant residential registers, logbooks, diaries, Family Home records, caregiver records etc. to identify if the claimant was placed as stated.

This does not need to occur where the assessor has concluded that the reason this information does not exist is due to the Ministry not being responsible for the placement.

This check does not affect the threshold that the relevant allegation is assessed under, and is undertaken for fact checking purposes only. Care must be taken to ensure that

information is only gathered to complete the claim assessment (i.e. only information would be sourced to confirm the placement, and not beyond this unless the allegation was being assessed under a step 2 approach). If the information gathered for the purpose of fact checking a placement points against the allegation, this may be used in the assessment of a claim.

Team Leaders should be consulted where searches for this purpose are undertaken.
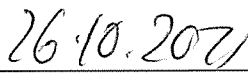
Approve practice guidance – Information sources for assessment

Approve/Decline

Linda Hrstich-Meyer   Date

General Manager Historic Claims

Appendix A

Nature of allegation	Records that may be relevant	What you might expect to see in those records
Allegations against caregivers	**Caregiver/Foster parent files (TRIM and CYRAS)**	Note that these may be in the name of the caregiver couple or just one partner (historically, this was generally the female caregiver). These files are not always available and may never have been created in the first place. The further back in time you go will decrease the likelihood that a caregiver file existed. Often Social Welfare offices kept records of caregivers only on index cards rather than full files.
		Where a file does exist, you would expect to see an application to be a caregiver, police and referee reports and some form of file note that reflects consideration of the application and a decision. The requirements for approval changed over time, so ensure that any review of a caregiver approval considers the requirements of the day.
		You may also see notes about the placement of children (though note that there was no expectation that regular files notes about a child be placed on the file), and notes of any issues, complaints or commendations.
	Historic Claims Application	The Application can be filtered to research:
		• Allegations and assessed allegations (including whether the criteria for assessment was met)
		• Staff member and caregiver names of alleged perpetrators
		• Alleged perpetrator descriptions
		• Residences/institutions and homes
		• Time periods of abuse and practice failures
		• Location of abuse
		• Descriptions of abuse
	"Caregivers/Foster Parents" (EDRMS folder)	This folder contains information about some caregivers and foster parents (arranged alphabetically) that Historic Claims has gathered information about over time.
		This is not an exhaustive list, and should be used in conjunction with information available in the Application and, where available, caregiver records.

	Social Work Manuals and Circular Memos	The manuals include policy on requirements for the assessment and approval of caregivers, placement of children with caregivers, management of children in caregiver care (e.g. discipline). EDRMS folder "*Social Work Manuals and Policy*" contains or includes links to handbooks and manuals that may be relevant.
	Caregiver Handbooks/Manuals	These provided guidance for caregivers. They were not consistently available over the decades.
	Files for other CYP placed with caregivers	If either the caregiver or claimant's files identify other CYP placed at the same or similar time as the claimant, then it may be appropriate to check their files (physical and/or CYRAS) to identify any issues with or allegations made about the caregiver.
Allegations against residential staff or relating to residences	**Introduction** Residences were required to maintain a number of different records. Not all have survived the test of time. For some residences there are quite complete sets of records, and for others, less so. Comprehensive file searches have been completed by Historic Claims for a number of residences and many records will be available in the relevant EDRMS folder. If in doubt, you should not hesitate to request another TRIM search (either for a specific record or more general search). You would expect to find the following types of records for most residences (note that they may go by slightly different names depending on time period).	
	Admission/discharge register	Records the details of each child admitted to and discharged from the residence.
	Daily diary/Log book	Records routine events of the day including movements of the residents (e.g. court appearances, home leave)
	Incident/Occurrence register/log book	This may be separate to or included in the daily diary or daily log, and record particular incidents (e.g. absconding)
	Secure register	Records the details of each child placed in secure care (the date and time of entry and release, the reason for the admission etc.). This may also record movements of the child, comment on the behaviour of child and of any incidents. It is possible that there may also be a separate **Secure diary** used to record day-to-day events within the secure unit.

Punishment Register	When corporal punishment was permitted, there was a requirement to keep a record of each child who was punished.	
Administration files	There will likely be a range of files for administrative matters, including details of the physical property. These may be useful to confirm for example the physical details of secure, whether or not a particular building existed etc.	
Audit and inspection files	Residences were required to undergo inspections and audits (the requirement of which varied depending on the time period) and these files can contain valuable information about any issues the residence had to address and the extent to which these issues were or were not addressed. The audit reports for the 1990's and 2000's can be particularly valuable.	
Staff personal/HR files	For permanent staff appointed to a residence, it would be expected that a staff/HR file existed, although not all have survived. Where this type of file exists, it should provide details of the staff member, the various positions they have held and details of performance; both positive and negative. Temporary staff did not typically have an HR file.	
Staff administration files	There may also be staff files for the residence that record issues about staffing matters (e.g. requests to national office for more staff, staff shortages, rosters etc).	
Social Work Manuals	All manuals make reference in some way to residential care; its purpose and policy around specific issues such as discipline/punishment, health, education, the use of secure care etc. and should be referred to as required to determine if an alleged failure was a breach of policy.	
"Residential Information" and "Staff" (EDRMS folders)	***Residential Information*** This folder identifies residential facilities, and may include aliased assessments, profiles of the residence, research and records relevant to that particular Residence. Note that these files can include scans of some files, such as daily logs, secure logs and residential information. Though if the relevant time period for the allegation being assessed is not available, this can be sought through a TRIM search. ***Staff*** This folder includes dividers with staff names that Historic Claims has gathered information about over time. A TRIM search of a staff member should always be carried out as well.	

Category	Source	Description
		These folders may include aliased assessments, interviews with claimants, or other information, which can support your assessment.
		This folder includes staff lists, including the Master staff list. It is important that you always return to the source document where possible (e.g. staff HR files) to ensure accuracy.
	"Social Work Manuals and Policy" (EDRMS folder) and "Circular Memorandum" (EDRMS sub-folder)	Prior to the introduction of the Residential Care Regulations 1986 (see below), practice policy for the care of children in residences was contained in the various social work manuals, including the Residential Workers Manual, 1975. Circular memorandum were also regularly issued providing updates to policy.
	Legislation	Refer as required to any sections in the 1925, 1974 and 1989 Acts relevant to residences and residential care.
	Residential Care Regulations • **Children and Young Persons (Residential Care) Regulations, 1986** • **Children, Young Persons and Their Families (Residential Care) Regulations, 1996**	The regulations set out detailed requirements on the care and management of CYP in residences and are the best source document for the fundamentals of residential care.
Allegations against Family Home caregivers	**Caregiver/Foster parent files (TRIM and CYRAS)**	Caregivers appointed to Family Homes had to go through the standard approval process relevant to the time, so there should be a file in the name/s of the caregivers contracted to the Family Home at any point in time.
	Family Home files (TRIM)	There should be a file or files in the name of the Family Home. When searching for them you should use different key words as the file title may not always be the same as the name the claimant provides. The file may contain any or all of the following: • the contract appointing them caregivers of the home • details of any children of their own that they may have

	• names of children placed with them • notes of any issues, allegations or commendations • records of administrative matters • reason for the caregivers' contract ending • names of relieving caregivers and cleaners
"Family Homes" (EDRMS folder)	This folder contains information about some Family Homes (arranged alphabetically) that Historic Claims has gathered information about over time. This is not an exhaustive list, and should be used in conjunction with information available in the Application and, where available, caregiver records.
Historic Claims Application	The Application can be filtered to research: • Allegations and assessed allegations (including whether the criteria for assessment was met) • Staff member and caregiver names of alleged perpetrators • Alleged perpetrator descriptions • Residences/institutions and homes • Time periods of abuse and practice failures • Location of abuse • Descriptions of abuse
Allegations against church providers	**Files in the name of the home**	For many years a number of the mainstream churches ran children's homes. These homes had to be inspected and approved by MSD's predecessors. You should expect to find (assuming they have survived) files in the name of the home. These files may contain any or all of the following: • inspection and approval reports • regular inspection/audit reports • possibly some details of staff (MSD does not hold individual files for any staff employed by the church home) • notes of any issues of concern • details of capitation subsidies • possibly names of CYP placed in the home
	• **"Anglican Church Homes"** • **"Baptist Church Homes"** • **"Catholic Church Homes"** • **"Childrens Homes"**	These folders will contain varying amounts of information collated by the team about specific church homes including some claims connected with the homes.

	• *"Methodist Church"* • *"Presbyterian Social Services Association"* • *"Salvation Army Homes"* **(EDRMS folders)**	Some folders may have sub-folders for specific homes.
Allegations against NGO staff/caregivers	**Approval/Contract files (TRIM)**	NGO's approved under sections 396 and 403 of the 1989 Act will have files established in their name to record the details of their application and approval. These files may have been established by and were originally "owned" by either Child, Youth and Family or the Community Funding Agency (CFA). The files should (may) contain details of: • the nature of the programmes they run/services they deliver • their application • their approval and any conditions that may apply to that approval • copies of contracts between the NGO and MSD • any issues raised about the performance of the NGO
	District Office Files (TRIM)	Some individual CYF offices may have kept their own files for specific NGO service providers. These files may contain details of: • the relationship between that office and the NGO • specific services provided to the office • CYP and/of families referred to the NGO
	• *"Child and Family Support Services"* • *"Childrens Home"* **(EDRMS folders)**	This folder contains a number of sub-folders in the name of specific NGO service providers. There will be varying amounts of information in each depending on the extent to which they have been researched to address specific claims. The "Children's Home" folder contains some information about a small number of homes run by various organisations.
General resources	**Specialist topics in EDRMS**	These folders are specialist areas that on occasion have relevance to an individual claim. Detailed familiarity with this information may not be necessary, though it is useful to know it exists in the event the claim being worked on relates to one of these specialist areas.

(E.g. Adoptions, Care Leavers, Maatua whangai – Policy and Practice and Medical Information)	
Publicly available information	Searches in publicly available information sources, such as the internet, can be useful for example to see if there is any publicly available information about an alleged perpetrator.
Police checks	If it is helpful to determine if an alleged offender has had previous convictions and there is nothing available in the public domain, then it may be possible to confirm specific details with the New Zealand Police. Any approach to the New Zealand Police must be coordinated by or completed in conjunction with advice from the Lead Claims Advisor.
Academic research	It may be helpful to refer to academic research to inform/support a particular issue.