

*Hipokingia ki te*

# KAHU AROHA

*Hipokingia ki te katoa*



The initial report of the Oranga Tamariki Ministerial Advisory Board July 2021

Embrace with the cloak of love, embrace all within it.

**COVER ART BY LOUIS MIKAERE** | *the cover image depicts a young sibling group, cloaked in love and surrounded by the memories and love of their tūpuna. The love of the tūpuna for their mokopuna is reflected in the puna – the well of life – that underpins their connections and provides the essence of the meanings of tūpuna and mokopuna themselves. It shows the cyclical nature of the love and nurturing that binds the past to the future.*

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# KUPU TAKAMUA

*Kia hiwa rā, kia hiwa rā. Kia hiwa rā ki tēnei reanga tamariki, kia hiwa rā ki tērā reanga mokopuna. Kia tika te tauwhiro, kia tika te whakamarumarū, e tū tangata ai, e tū pakari ai, e tū ai ā tōna wā ki te tuku iho i ēnei pūmanawa ki ā rātou ake. Kua tōnui rātou katoa, kua tōnui tātou katoa, otiia, kua tōnui te ao.*

*Kua inoihia e koe te Poari Arataki ā-Minita o Oranga Tamariki kia whakaheingia koe mō ētahi take e pā ana ki a Oranga Tamariki. Ka tāpaea e tēnei pūrongo tētahi taumata whakaheingia mō ngā wāhi i inoi koe kia uia e mātou, tā mātou uruparenga, ka mutu, i ngā wāhi kāore e taea e mātou te whakahei i a koe, he aha tā mātou i tūtohu ai.*

## He aha ngā mahi kua mahia e mātou mohoa nei?

I whakaturia te Poari ā-Minita i te 1 o Kohitātea 2021. Mai i taua wā, he nui ngā mahi kua mahia e te Poari. Ko tāku, tā te Manukura, he wāwāhi i te hōtaka mahi ki waenga i ngā mema o te Poari e tūturu ai tā mātou toro ki te whānuitanga ka taea, e kapi ai ngā Tikanga Whakahaere, e torohia ai ngā iwi, ngā hapū, ngā kaiwhakarato, ngā hapori me te hunga whai whakaaro ki te kaupapa ka taea.

Ko te mahi a Tā Mark Solomon he ārahi i tā mātou tirohanga ki roto atu i ngā raraunga, ki te taha whakahaere, ki ngā pūnaha o roto o Oranga Tamariki me ngā kaiwhakarato.

Ko Kahurangi Naida Glavish he mahi ki te taha o ngā hapori Māori, ngā iwi, ngā hapū me ngā kaiwhakarato Māori, ko tā Shannon Pakura, he whaiwhai ake i ngā āhuatanga katoa o te kāhui kaimahi, te mahi tauwhiro, ngā tikanga mahi me ngā papamahi.

Ko tāku, tā te Manukura, he titrotiro i ngā wāhi katoa o te mahi nei, e hua ai te tutuki o ngā mahi ki tā mātou rārangi wā, kua huri takirua (neke atu) te Poari ki te motu. I rite tonu te hui a te Poari, ka mutu, i roto i ā mātou mahi kua tautokohia mātou e tētahi Taituarā motuhake.

Neke atu i te 70 ngā hui i whakahaerehia ki ngā kaiwhakarato mahi, ki ngā hapū, ngā iwi, ngā hapori, ngā upoko umanga kāwanatanga me ngā whakahaere ā-ture. Neke atu i te 23 ngā papamahi a Oranga Tamariki kua toroa e mātou, neke atu hoki i te 750 ngā kaitauwhiro, ngā kaiwhakahaere me ngā kaimahi i ngā papamahi a Oranga Tamariki kua kōrero atu mātou. Kua āta whakaaroarohia e te Poari te tini tānga, te tini pūrongo, neke atu i te rau tau te hoki whakamuri, me te arotakehia anō o ngā rautaki a te whakahaere o tēnei wā, ngā mahere, ngā tauaki pūtea, te kāhui kaimahi, te taha whakahaere me ngā rauemi tangata.

Kua toro atu hoki mātou ki ngā whānau me te hunga kua toro mai ki te Poari, me te rite tonu o tā rātou kōrero hāngai mai i ngā kōrero whaiaro mō rātou. I ētahi take, kua mahi te Poari ki te tuku atu i ērā ki a Oranga Tamariki hei tirotiro tonu mā rātou.



## He aha tā te pūrongo nei māu?

Ko tā te pūrongo nei he arotahi ki ngā kōrero kua kite, kua pānui, kua rongu mātou i ngā hapori, i ngā whakahaere me te hunga whai wāhi ake, i ngā whānau me te hunga whai wheako tūturu. Ka whakaatu anō i ngā whakaaro o te maha atu o ngā kaitauwhiro kua tūtaki atu mātou. Ka tāpaea anō ki a koe ētahi wāhi uiuinga e arotahi ana ki te āhua o te kāhui kaimahi o tēnei wā me ō rātou hiahia ki tua, ki ngā pūnaha me ngā ara mahi e whāia ana i tēnei wā, me te nekehia o te rauemi ki te whakapakari i te raukaha me ngā pūkenga i ngā whakahaere Māori me ngā hapori.

I runga i tērā whakaaro, i runga anō i te whakaaro ki ā mātou tikanga whakahaere, ka arotahi te pūrongo nei ki ētahi wāhi mātāmua e toru – te hononga ki te whānau whāiti, te whānau, te hapū, te iwi me ngāi Māori, ngā tikanga mahi o te mahi tauwhiro ngaio me te ahurea o te whakahaere.

Putā noa i te pūnaha mō te atawhai me te whakamarumarū, i waenga i te 1 o Paengawhāwhā 2020 ki te 31 o Poutūterangi 2021, e 77,500 ngā Pūrongo Māharahara i tae ake ki a Oranga Tamariki hei aromatawainga tuatahi. I tae mai ēnei i ētahi wāhi whānui pērā i te ao mātauranga, te hauora me ngā pirihihana, tae atu ki ngā mema whānau me te hapori whānui tonu.

Waihoki, ka hua ake i tōna haurua nei o ngā Pūrongo Māharahara ko te aromatawaitanga whāiti ka whakahaeretia e Oranga Tamariki, ko ētahi aromatawaitanga e 41,300 i oti i ngā marama 12 ki te 31 o Poutūterangi 2021. I roto i taua wā anō, e 8,500 ngā Family Group Conference (FGC) i tū, neke atu i te 800 ngā tamariki i tukua kia atawhaitia, i te 31 o Poutūterangi 2021, e 5,400 ngā tamariki i tukua ki raro i te Mana Atawhai me te Whakamarumarutanga o te Tumu Whakarae o Oranga Tamariki

Kia tōhua i te tīmatanga tonu o te pūrongo nei te hiahia kia neke kē te aronga i te whakaritenga kōwhiri ki te āraitanga e heke ai te tūkinohia o te tamariki, e heke anō ai te rahi o te tamariki ka tukua ki te pūnaha i te mea kua tūkinohia, e kaha ana rānei te tūponotanga ka tūkinohia. Kia āta kōrerohia i konei te hiranga o te whakatau tahi, te tōkeke o te tuari rauemi me te hiahia kia kaua a Oranga Tamariki e whanake rautaki noa ka tautoko, ka whakamana i te tamariki, i te whānau me te hapori anake, engari kia āta whāia aua rautaki ka whakatinana ai i roto i ngā mahi ake. Ka kōrero anō tā mātou pūrongo mō te whakakaha ake i te taha mana ārahi e tika ana, e tutuki ai tēnei.

Kua tautuhia anō e mātou te hiahia kia āta tirohia ngā take taha pūnaha, taha hanganga. E whai tahi ana tēnei kia neke te arotahinga ki te ārai i te tūkinohia o te tamariki me ō rātou whānau, ki te whakapakari anō i te raukaha me ngā pūkenga o te kāhui kaimahi.

## Ngā takahanga ka whai ake

Pērā i tērā kua tohua i tā mātou reta kōrero hou ki a koe o te 30 o Paengawhāwhā, e marohi ana Poari kia neke ia ki ngā mahi aroturuki i te tūāoma ka whai iho ki te tiro tiro me te arataki i te whakatinanatanga o ngā tūtohunga kei te pūrongo nei. Ka marohi anō mātou kia whakawhānuitia tā mātou uiuinga kia tīmata ai te mātai ētahi atu āhuatanga o te pūnaha, me te mōhio anō me whakawhānui ā mātou tikanga whakahaere e taea ai tēnei.

E whakaponono ana mātou mā tō mātou whakaaro kia riro mā mātou e tiro tiro te whakatinanatanga o ā mātou tūtohunga i roto i te rua tau ki a mātou, ka kawea mai te ngākau titikaha kua taka atu nei i ngā uruparenga ki ngā arotakenga o mua atu, i a mātou ka hāpai ake i te kawenga ki te whakahei tonu e koke tonu ana a Oranga Tamariki, kei te ahu whakamua, kei te whakarerekē pai nei i te noho a te hunga e tukua ana kia atawahitia, kia whakamarumarutia; ā tātou tamariki, mokopuna, rangatahi me ō tātou whānau.

Hei whakatepe ake, e te Minita, e hiahia ana au ki te whakamihī i ngā mema o te Poari, a Tā Mark Solomon, a Kahurangi Rangimarie Naida Glavish me Shannon Pakura i tā rātou pukumahi ki te whakaputa i te pūrongo nei. Ka mihi anō ki tō mātou Taituarā kua tautoko i a mātou i roto i ngā mahi. Ahakoa te whānui o ā mātou mahi, e mōhio ana mātou arā noa atu ngā mahi hei pūkai, heoi, kia kaua e ngaro noa tēnei huarahi e tohua ai te ara ahu whakamua.

Ka hoki aku mahara ki ngā kupu mōhio a Tā James Henare “Kua tawhiti kē tō haerenga mai, kia kore e haere tonu, he nui rawa ō mahi, kia kore e mahi tonu”.

Kia tawhiti kē atu te haere, kaua mō tātou anake engari mō ā tātou tamariki, ahakoa te iwi me ngā kōrero mō rātou, kei hea e noho ana, ngā āhuatanga taha pāpori, taha ōhanga, e hiahia ana kaua ki ō rātou mātua me ō rātou whānau anake, engari i ōna anō wā ka hiahia kia atawahitia, kia whakamarumaruhia e ētahi atu. Katoa tātou ka hiahia, ina pā mai tēnei āhua, kia whakaratoa ko te atawahitanga me te whakamarumarutanga whai tikanga katoa, haumarua katoa, whakamanawa katoa ka taea.

Nā runga i te pūrongo nei me ōna tūtohunga e kite ana mātou i tētahi huarahi e whakatūhia ai he pou tawhā ki tēnei haerenga ka hia ngahurutanga tau nei e takahia ana. Kia kaua e ngaro tēnei huarahi ki a tātou – ā-tangata, ā-hapori, ā-motu.

I runga i te whakahau a te Poari Arataki ā-Minita, ka tāpaea te pūrongo nei hei whakaaroaro māu me te titiro whakamua anō ki te mahi tahi ki a koe ki te whakatinana i ā mātou tūtohunga.

Ngā mihi nui

Matthew Tukaki

**Manukura o te Poari Arataki ā-Minita**

Oranga Tamariki – the Ministry for Children



Matthew  
Tukaki



Kahurangi  
Rangimarie Naida  
Glavish



Tā Mark  
Solomon



Shannon  
Pakura

# FOREWORD

*Be watchful, be alert. Watch over this generation of children, watch over that generation of grandchildren. Tend and care for them well, ensure their protection, so they stand as proud individuals, so they stand strong, so they, in time, pass on these skills to their own. They all flourish and prosper, we all flourish and prosper, and so too the world.*

You have asked the Oranga Tamariki Ministerial Advisory Board to assure you on a range of matters relating to Oranga Tamariki. This report provides a level of assurance on those areas you have asked us to inquire on, our response and where we have been unable to assure you, what our recommendations are.

## **What have we done so far?**

The Ministerial Advisory Board was established on 1 February 2021. Since then, the Board has undertaken a significant amount of work. As Chair I have divided up the work programme amongst Board members to ensure we maximise our reach, cover the Terms of Reference, and engage with as many iwi, hapū, providers, communities, and interested parties as possible.

Tā Mark Solomon has taken on the task of leading our investigation into data, operations, systems inside Oranga Tamariki, and providers. Kahurangi Naida Glavish has been working alongside Māori communities, iwi, hapū, and Māori providers, and Shannon Pakura has been working on all aspects of workforce, social work, practice, and sites.

As Chair, I spanned all areas of this work and, to ensure we have been able to deliver to our timeline, the Board has travelled in pairs (at least) across the country. The Board has met on a regular basis and in our mahi we have been supported by an independent Secretariat.

More than 70 hui have been held with service providers, hapū, iwi, communities, heads of government agencies and statutory organisations. We have also visited over 20 Oranga Tamariki site offices and have spoken to more than 750 staff including social workers. The Board has considered a vast number of documents and reports going back well before the establishment of Oranga Tamariki, as well as reviewing the current organisation's strategies, plans, financial statements, workforce, operations, and human resource policies.

We have also engaged with whānau and people who have reached out to the Board, often sharing their personal stories directly with us. In some cases, the Board has acted to refer those through to Oranga Tamariki for further investigation.

## What can you expect in this report?

You can expect this report to focus on what we have seen, read, and heard from communities, organisations, stakeholders, whānau, and those with a lived experience. It also reflects the views from the many Oranga Tamariki social workers we have met with. You can expect areas of inquiry to focus on the current state of the workforce and future need, systems and approaches currently being taken, and shifting of resources to build capacity and capability of Māori organisations and communities.

With that in mind, and considering our terms of reference, this report focuses on three core areas:

- Oranga Tamariki's relationships with families, whānau, hapū, iwi, and Māori;
- Professional social work practices; and
- Oranga Tamariki's organisational culture.

Across the care and protection system, between 1 April 2020 and 31 March 2021, there were 77,500 reports of concern received by Oranga Tamariki for initial assessment. These came from a range of different sources such as education, health, and police through to whānau members and the wider community. Typically, over half of all reports of concern result in a more detailed assessment being undertaken by Oranga Tamariki. In the 12 months to 31 March 2021 there were:

- 41,300 assessments completed
- 8,500 Family Group Conferences held, and
- Over 800 tamariki entered care.

As of 31 March, 2021, there was a total of 5,400 tamariki in the care of the Oranga Tamariki Chief Executive.

We signal from the start the need to shift focus from **reaction** to **prevention** in order to **reduce harm** to tamariki. This shift will go some way to reducing the number of tamariki entering the system because they have been or are at significant risk of being harmed. We stress the importance of:

- shared decision-making,
- equitable distribution of resources and
- the need for Oranga Tamariki to not just develop strategies that enable and empower tamariki, whānau, and communities but to operationalise those strategies into action on the ground.

We have identified the necessity to confront and address the systemic and structural issues and our report addresses the need for strong governance to achieve the above. This is both to shift focus to preventing neglect and harm to tamariki and their whānau, and to develop and strengthen the systems that support quality social work practice and grow the capacity and capability of the social work sector workforce.



## NEXT STEPS

As already indicated in our update to you on 30 April 2021, the Board propose moving to a monitoring function in our next phase of work to oversee and guide the implementation of the recommendations made in this report. We acknowledge that the current timeframe has not permitted an in-depth examination thus far on other important parts of the system, such as youth justice, clarity of the legislation, or indeed of residential care. We propose extending our inquiry to examining other aspects of the system, and urgently for residential care issues.

Finally Minister, I want to acknowledge our Board members - Tā Mark Solomon, Kahurangi Rangimārie Naida Glavish, and Shannon Pakura - for their tireless mahi in delivering this report. I also thank the Secretariat team who have supported us in this endeavour. While our work has been comprehensive, we are conscious that there is much more to be done.

I am reminded of the wise words of Tā James Henare, "*Kua tawhiti kē to haerenga mai, kia kore e haere tonu, he nui rawa ō mahi, kia kore e mahi tonu*" – "*We have come too far to not go further, we have done too much not to do more*".

We must go further for the tamariki who, from time to time and irrespective of ethnicity, background, location, social or economic circumstances, need not just their parents and whānau, but the care and protection of others, including sometimes the state. When this is the case, the care and protection provided must be effective, safe, and empowering for tamariki and whānau.

In this report and the recommendations we make, we see an opportunity to draw a line in the sand of a journey that has been many decades in the making. It is an opportunity that should not be lost on us – as people, communities, and as a nation.

On behalf of the Ministerial Advisory Board, I submit this report for your consideration and look forward to working with you on the implementation of our recommendations.

Ngā mihi nui

Matthew Tukaki

**Chair of the Ministerial Advisory Board**

Oranga Tamariki – the Ministry for Children

# EXECUTIVE SUMMARY

The Minister for Children has asked the Ministerial Advisory Board to provide assurance and advice to him on three key areas outlined in its Terms of Reference. These are how Oranga Tamariki is progressing in terms of its:

1. relationships with families, whānau, hapū, iwi, and Māori;
2. professional social work practices; and
3. organisational culture.

We have kept our terms of reference firmly in mind in preparing this initial report. The report comes four months into our two-year term. It reflects what we have been able to investigate in adequate depth to provide a response to the Minister's request for assurance. We have kept our focus in this initial report on care and protection services.

At this stage we are unable to provide a high level of assurance in response to the Terms of Reference. Accordingly, we make recommendations for change to:

- **significantly improve the responsiveness to Māori;**
- **address the systemic, institutional, and professional issues within Oranga Tamariki; and**
- **encourage strong leadership, regional accountability, and safe working practices within Oranga Tamariki.**

Our hope is that, with these changes underway, we will be able to provide you with higher levels of assurance before our two-year term expires.

From our work so far, we see a need to relentlessly focus the direction of Oranga Tamariki onto improving outcomes for tamariki and their whānau, and to enabling those capable of delivering this outcome most effectively to get on with the challenge. We believe this focus needs to be clearly articulated as the history of the organisation and the system it sits within has defaulted to reactive processes to address immediate concerns for tamariki who have been reported to Oranga Tamariki. We conclude this default has blurred responsibilities in two significant ways:

- first, the Crown has assumed the lead role in supporting tamariki and whānau without really knowing how to be effective in this; and
- secondly, the Crown has undermined the role of communities and particularly of hapū and iwi in leading their own communities.

We reached these views from discussion at more than 70 hui; these were held with service providers, hapū, iwi, communities, heads of government agencies and statutory organisations. We also visited over 20 Oranga Tamariki site offices and have spoken to more than 750 staff including social workers. The Board has considered a large number of documents and reports going back well before the establishment

of Oranga Tamariki, as well as reviewing the current organisation's strategies, plans, financial statements, workforce, operations, and human resource policies.

We have also engaged with whānau and people who have reached out to the Board, often sharing their personal stories directly with us. In some cases, the Board has acted to refer those through to Oranga Tamariki for further investigation.

Through our engagement to date, communities, hapū, and iwi have made clear to us that it is their role to lead and protect their people, and that the role of preventing harm to tamariki and their whānau rests with them. They say Oranga Tamariki's role is to support the kaupapa, to stand aside and enable iwi and others to respond and provide services and support to tamariki and whānau. We agree and consider early support and response to be an important avenue to improve care and protection outcomes for tamariki and their whānau, and also to reduce the need for state intervention.

Accordingly, we make **three overarching recommendations** in our report. These are:

1. **In order to lead prevention of harm to tamariki and their whānau, collective Māori and community responsibility and authority must be strengthened and restored** in a way that is fit for purpose within a modern and future context. The Crown's role is to support this kaupapa. We note there is currently no coordinated strategy for how Oranga Tamariki partners with Māori and communities to enable this shift to prevention. A strategy to address this is urgently required.

Over the coming three months, we recommend that Oranga Tamariki undertakes a programme of engagement with Māori collectives and communities, to understand what their ideas for the change they want to lead are and what resourcing and support they need to achieve it. We offer our support for this process.

Under this overarching first recommendation we stress that:

- a. adequate resources and authority must be shared equitably with Māori
- b. many of the services and support for tamariki and their whānau currently delivered by Oranga Tamariki can, over time, be provided by Māori and community groups
- c. the primary role for Oranga Tamariki social workers can then be to respond to emergency situations and navigate tamariki and whānau to immediate help in order to secure their safety and protection.

Moreover, the evidence is clear that the needs of tamariki Māori and whānau are not well served by the current system. Coming into contact with the current care and protection system, even if only briefly, can reinforce and cause further damage to already vulnerable and hurt tamariki and their whānau. The primary solution is to prevent the need for so many tamariki and whānau to come to state attention, and for those that do, that the time they are engaged with the system is as short as possible, while their whānau are supported to heal so that they can safely take back the care of their tamariki. Investment must be geared towards that prevention focus and to the system recalibration needed to enable it.



We believe Oranga Tamariki needs ongoing help and guidance to support its shift to providing the most effective state care and protection system possible, but are firmly of the view that Oranga Tamariki is not the ultimate point. The ultimate point must be to prevent harm from occurring in the first place; we think it is obvious that Māori collectives and communities are best-placed to lead this work.

2. **In order to work collaboratively with Māori, community organisations and other government agencies, the purpose of Oranga Tamariki must be clarified.** This includes clarifying who Oranga Tamariki primarily exists to serve, what areas of service delivery and support are for Māori and community to lead, and where the responsibility of other government agencies must be to support improved outcomes for tamariki and their whānau.

Under this overarching recommendation, we include some specific recommendations targeted at reinforcing the social work focus of Oranga Tamariki:

- a. That the Office of the Chief Social Worker should be restored as a central role within Oranga Tamariki, with enhanced influence across the agency. This is needed to address the de-professionalisation of Oranga Tamariki's workforce away from social work.
- b. That induction, training, continuing professional development, and supervision, including training and support for supervisors and practice leaders, should be prioritised.
- c. That a workforce development plan that rebuilds the mana and professionalisation of Oranga Tamariki social workers, and grows the broader supporting social sector workforce inside and outside Oranga Tamariki, be developed as a priority.
- d. That national office and regional sites should be better aligned in purpose and operational activities.

We make these recommendations as it is clear to us that Oranga Tamariki social workers are under significant pressure. This is compounded by a lack of strong professional leadership and development; absence of consistent and timely induction across the organisation; and weak professional structures and systems. The social work voice within Oranga Tamariki needs strengthening as professional practice views, opinions, and experience are missing at many levels within the organisation, including at its leadership group.

Oranga Tamariki lacks strategic direction and is not visionary. It is self-centred and constantly looks to itself for answers. Its current systems are weak, disconnected and unfit for the population of tamariki it serves, and there is no strategy to partner with Māori and the community. It is an agency that is vulnerable to being blown off course by the headwinds it inevitably encounters over time. We also, however, want to acknowledge that Oranga Tamariki's work is hard. Social workers are expected to manage ambiguity, uncertainty, and to make judgements that no other agency or professional is called upon to make, within a system that requires them to constantly reassess priorities.



We observe also that Oranga Tamariki social workers appear to be isolated and need other agencies to work with them more proactively, in order to address the risk of harm to tamariki and their whānau. To help relieve these pressures, we recommend that, in addition to recentering itself around professional social work, a workforce development plan is needed. This should recognise the core role of Oranga Tamariki social workers, and grow the broader supporting social work sector workforce inside and outside Oranga Tamariki. This should be developed and progressed as a priority.

3. **A national Oranga Tamariki Governance Board should be established to oversee the diversity and depth of changes needed** to guide and support Oranga Tamariki through the challenges they will inevitably face over time. This is necessary so that investment is sustained and focused on achieving improved outcomes for tamariki and their whānau, with wider benefits for communities and the nation. The Governance Board will have responsibility for guiding Oranga Tamariki to devolve authority and resources to Māori collectives and community groups. It should ensure they are supported to lead prevention and the other programmes and services currently provided by Oranga Tamariki that communities are best placed to provide for tamariki and their whānau.

Within this third overarching recommendation, it is necessary to clarify the responsibilities of the state system for tamariki and their whānau – not just solely those of Oranga Tamariki. Therefore, we further recommend that the Oranga Tamariki Governance Board has the mandate, capacity, and capability to ensure collective government accountability for improved outcomes for tamariki, their whānau, and the wider community. This will require a shared outcomes framework to be developed. The Child and Youth Wellbeing Strategy already offers the authorising environment to build this within, providing a platform to immediately begin to leverage systems change.

Our recommendations are intended to complement and reinforce one another. In doing so, we want their impact to include strengthening the ‘village’ that tamariki need, and strengthening Oranga Tamariki to be a trusted doorway to the support and services that can assist whānau, while drawing together the broad range of relevant government support when that is needed.

To achieve the scale of change required to ensure positive and sustained progress, there must be a collective commitment to navigating the path and staying the course.

Oranga Tamariki remains necessary; accordingly, transformation within Oranga Tamariki is equally necessary. Oranga Tamariki’s core function, its processes, and its place in the sector requires significant adjustment and alignment so that it is fit for purpose for the communities and the whānau it serves.

## NEXT STEPS

Our report closes with a focus on evidence-based decision-making and an evaluation of how data and information are utilised at Oranga Tamariki. We consider that the availability and use of data and information is a critical enabler for making the right decisions in policy and practice at all levels of Oranga Tamariki, as well as how Oranga Tamariki supports communities to plan and co-invest. One of the challenges in implementing the recommendations is ensuring the data Oranga Tamariki captures is both accurate and fit for purpose, can be utilised to support communities' decision-making, and there is transparency in reporting on progress towards outcomes.

Together with monitoring that the intention of our recommendations is being met, we propose over the remainder of our term to help guide the organisation to shift to fit for purpose data capture and use. This will include how privacy needs can be met while enabling communities to access the data they need to design their response and understand the investment needed, so that the system is measuring the right changes.

In addition to this ongoing monitoring role, we intend to examine other aspects of the Oranga Tamariki system including youth justice and care services, including residential services. We will also consider the legislative parameters for Oranga Tamariki and the government system for tamariki and their whānau; and we will take a close look at opportunities to improve outcomes for tamariki with disability challenges where they are not currently well-supported by the system.

We will report regularly to you, the Minister for Children, and note that our intention is to work closely in partnership with the Chief Executive of Oranga Tamariki and the leadership team throughout our term. We hope that, as a result of this work together, by the end of our term we will be able to provide significantly higher levels of assurance on the matters you have asked us to review.

The scale of the challenges is clear – collaborative partnership between all who have a role in supporting tamariki and whānau will take us much further and a lot faster than working in isolation. Partnership is the only real option to meet the vision of safe, loved, and nurtured tamariki and whānau, and to fulfil the expectations of all our tūpuna in journeying to Aotearoa New Zealand to create better futures for their tamariki and mokopuna. We believe this was the explicit agreement and promise of te Tiriti o Waitangi.

# TE AU O TE KANOHI MĀORI

1. Imagine a time when tamariki were the centre of the community, where every individual was responsible for ensuring each tamaiti was loved, nurtured and taught to be a proud, knowledgeable and connected member of their wider whānau and hapū. Parents were supported by the community to raise their children so that they could fulfil their wider responsibilities to the collective.
2. Everyone had responsibilities to the community, which at its heart was focused on growing the next generation. Kuia and Kaumātua were largely responsible for caring for their mokopuna and the bond between them was rooted in love and the passing down of knowledge and wisdom of their tūpuna through storytelling and teachings. Those tamariki would then be responsible for performing the same act of duty and love to their mokopuna when the time came, as their tūpuna had done before them. Everyone knew their responsibilities to the generations – living and passed – and their roles in maintaining a cohesive and thriving community.
 

“The state is taking our roles, for example, taking our role to feed our kids, we’ve got to be empowered to look after our own, not have everyone else looking after our tamariki”.

– Māori social service provider
3. Everyone’s role was purposeful and important, whether this was as aunties, siblings, chiefs, warriors, cousins, parents of the day or of the future.
4. This should not be too hard to imagine, as this was the reality for tamariki Māori who were nurtured and treasured as the centre, the pito, the magnetic pole of Māori society in pre-colonial times. Indeed, it is still the case where collective living has been able to be retained to any extent. There are many examples of parenting excellence within Māori New Zealand today, though it is not often recognised nor celebrated.
5. We recognise that of course Māori are not unique in treasuring their tamariki as the strength and centre of their culture and their economy, and of the wealth and health of all their futures. This is a common scenario across humanity and particularly in pre-industrialised economies where the health of the collective was what mattered. It is our view that the processes of colonisation, bringing urbanisation and commodification of people as units of production has broken that down. Inevitably transported to Aotearoa New Zealand with settlers from industrialising Europe, a view of organising family as individual units with tamariki as a subset - and in some Victorian eyes to be seen and not heard - has been imposed.
6. Over time, this industrial phase has become the assumed norm, with the alternative forgotten. So much so that most people have little knowledge of the status of tamariki in Māori communities before colonisation. The default view of families as individual units and that Māori culture promotes violence and warriorhood, including towards their tamariki, is promoted in the media and in political debates for a range of agendas not always related in any way to the wellbeing of tamariki and whānau. An example has been the poorly reflected



and narrowly depicted warrior role within Māori culture, with the portrayal of this role as the warmongering, aggressive leader of the community. While the depiction may have become self-fulfilling for some, the primary role of a warrior was to provide for the community and to keep it safe from harm. This included protecting the tapu of whakapapa – of women as the carriers of whakapapa, and of tamariki as the embodiment of the links to the past and the future – which without, communities collapse.

7. We recall the Waitangi Tribunal’s Wai 262 inquiry outline of the promise of both those great voyaging peoples, those who were ‘Kupe’s people’ and those who were ‘Cook’s people,’ coming together to build a stronger future for their descendants. Of course, many more have arrived in Aotearoa New Zealand from different places since 1840 for a better future for their descendants. Indeed, a better future for our descendants is the main reason all our forebears migrated across the oceans and skies to Aotearoa New Zealand, giving up generations of belonging in places far away to make a better home here. That powerful vision still needs to guide us all, together.<sup>1</sup>
8. Having journeyed across the ocean to get to our shores, all comers have worked to lay foundations, or pou, on the land to build futures from. We believe that there is still much promise in our collective future, with much that is positive infused between our peoples. In terms of nurturing tamariki within thriving families, this includes the language of connection, which, in New Zealand English as well as in te reo Māori, reflects the importance of kinship and belonging. New Zealand English is infused with concepts of kin connection that integrate Māori concepts together with European – ‘cuzzie’, ‘bro’, ‘auntie’ as some obvious examples, and with kupu Māori regularly used by many New Zealanders for their own settings; for example we hear ‘whānau’, ‘aroha’, ‘tamariki’, ‘rangatahi’ and many other kupu Māori used regularly in everyday conversations.
9. While various levels of meaning may be understood and conveyed in translating these words of endearment and kinship connection, their usage conveys a sense of respect and understanding of the love profoundly underpinning these kupu. In the merging of words and language, we see attempts to describe kinship and belonging that is relevant to today’s New Zealanders, and a positive effort to define ourselves by concepts and phrases that reflect Aotearoa New Zealand, not just either the British/European or the Polynesian prototype cultures of some forebears.
10. Therefore throughout this report we use the term Aotearoa New Zealand to refer to our place here in Te Moana Nui a Kiwa/ the Pacific Ocean, as we seek to renew focus on what is relevant to us here **and reclaim the role of the collective in nurturing our future generations.**

“[we want] a permissive environment that allows us all to work our own magic – not from Wellington, or even from regional and site offices of – but what we do in our street, what you do in your street, to build thriving whānau and tamariki. Investing in Māori, not Pākehā handing over to Māori”.

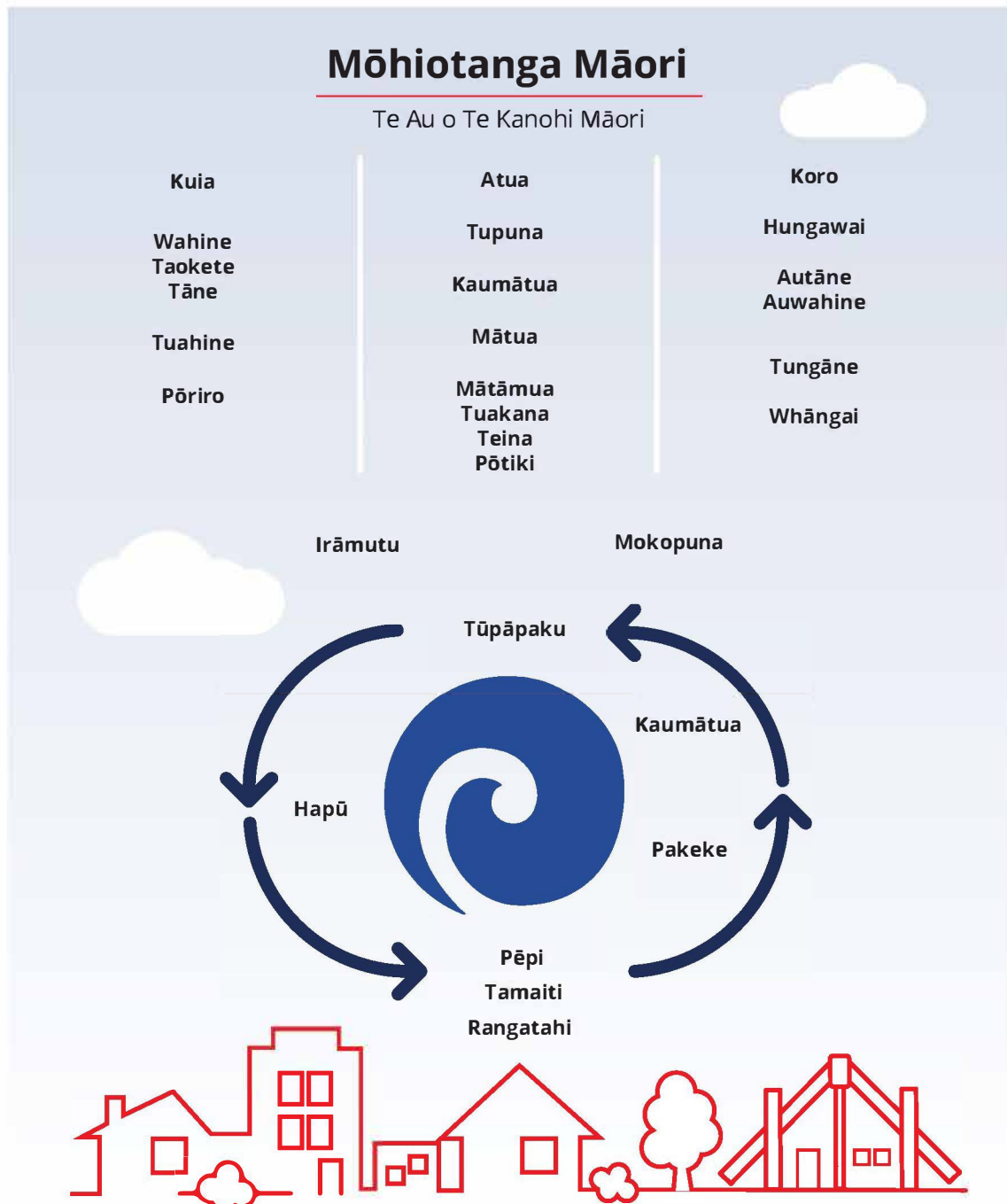
– Māori social service provider

<sup>1</sup> Ko Aotearoa Tēnei: A Report into Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity, Te Taumata Tuatahi (justice.govt.nz), pages 1-14



11. We acknowledge the Waitangi Tribunal’s report on Oranga Tamariki, *He Pāharakeke, he Rito Whakakīkinga Whāruarua*,<sup>2</sup> and particularly the Tribunal’s focus on the importance of rangatiratanga over kāinga. We see the need to rebuild this also. It is through Te Au o Te Kānohi Māori (the lens of the Māori eye) that the Board understands the role of the kāinga, where figure 1 depicts the whānau/hapū structures that support mana motuhake:

Figure 1: Mōhiotanga Māori – Te Au o Te Kānohi Māori



2 [waitangitribunal.govt.nz/news/tribunal-releases-report-on-oranga-tamariki/](https://waitangitribunal.govt.nz/news/tribunal-releases-report-on-oranga-tamariki/); Tribunal releases report on Oranga Tamariki | Waitangi Tribunal

12. While the context of the 21st century is different from that of pre-colonisation, views shared with us from hapū, iwi and Māori organisations indicate that these responsibilities and structures must be rebuilt so that the whānau can once again be self-determining. To achieve sustainable change, then Māori must be given the resources to strengthen the foundations of their communities, the papakāinga once again busy and thriving with Māori and community organisations supporting whānau and tamariki nestled securely within – as we believe Te Tiriti promised.<sup>3</sup>

“Oranga Tamariki has the last say – that is not working strategically with Māori”.

– Stakeholder

3 See *Snapshot of things people told the Oranga Tamariki Ministerial Advisory Board*.

# THE SYSTEM NEEDS TO BE STRENGTHENED

13. Despite the aspirations of all our forebears, the reality today is that some of our tamariki are at risk of being harmed, abused, neglected, deprived, or ill-treated. Compared with other developed nations, Aotearoa New Zealand has among the poorest child wellbeing outcomes<sup>4</sup> and some of the highest rates of harm to tamariki and rangatahi.<sup>5</sup> The challenge and opportunity is to once again make tamariki the centre of our villages, kāinga, communities and society with all eyes watching out for them, ensuring that they are safe and that they are nurtured, cared for and loved.
14. The rebuilding of the kāinga/village is not something the state can or should lead. The state's record of leading care and protection on its own is patchy, as is evident through the Royal Commission of Inquiry.<sup>6</sup> As in similar processes around the western world, even when not intending harm, the state cannot easily secure the long-term safety and wellbeing of tamariki and rangatahi, and it seems that being in state care cannot guarantee that further harm is not perpetrated on tamariki and rangatahi, even though protecting them is why they have generally been placed in state care. Moreover, there is contemporary evidence that some of these conditions still exist, and this appears to be compounded by poor internal oversight within Oranga Tamariki, and a lack of proactive follow-up evident in some cases.
15. It is also clear from what we have heard (and have reflected in *Snapshot of things people told the Oranga Tamariki Ministerial Advisory Board* setting out a range of comments captured across our engagement), that despite best intentions, the anchor points for current systems within Oranga Tamariki are weak, disconnected, and unfit for the population of tamariki it serves. The organisation lacks strategic direction and is not visionary. It is self-centred and constantly looks to itself for answers. There is no workforce strategy being implemented, nor is there a strategy to partner with Māori and the community. It is an agency that is vulnerable to being blown off course by the headwinds it inevitably encounters over time. In addition, we have heard that Oranga Tamariki has different priorities, depending on where staff are located or in what part of the agency. For example, the perspective shared from frontline staff is that national office is more focused on risk management and internal conversations than external impact. We have also been told that national office has a large range of projects, programmes and initiatives being implemented

"If the NGO or social sector was stronger, more resilient early intervention may deter cases needing to get involved with Oranga Tamariki. Preventative work outcomes would lessen the notification rates".

– Oranga Tamariki site leader

4 UNICEF Innocenti Report Card 16 2020.

5 OECD Family Database 2013.

6 Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions, see Home | Abuse in Care - Royal Commission of Inquiry <https://www.abuseincare.org.nz/>

across sites. This makes it difficult to keep pace with what is most current, or the cumulative impact of these initiatives on frontline services.

16. To address the immediate vulnerabilities, we recommend that both a strategy to partner with Māori and communities, and a social work sector workforce strategy are urgently needed. As a first step, these two strategies should help anchor the organisation in the short term, to support Oranga Tamariki to better play its role in the nation's response to the challenge of reducing harm to our tamariki, rangatahi and their whānau.
17. Our forebears made the biggest investment in the future wellbeing of their descendants leaving their homelands to create better futures for their tamariki and mokopuna. Whether they left Hawaiki, Whitby, Savai'i, Mumbai, Seoul or elsewhere, whānau came to create better futures for their mokopuna. The Aotearoa New Zealand of tomorrow will be poorer and less cohesive if we do not remember this and, together do whatever it takes to ensuring better futures for our tamariki and mokopuna.
18. Working towards this vision requires both that the state system is fit for purpose, and that parents, extended whānau, Māori collectives, and the community are supported to care and provide for their tamariki.



# OUR TERMS OF REFERENCE

19. In starting by setting our view of Te Au o Te Kānohi Māori, we have started this report with a different lens than a review focused on a government department might usually have. This is as we have felt the weight of disparity in outcomes for Māori and the pressing need to amplify the many voices of tamariki and whānau who have shared their hurt and aspirations with us.
20. Helping to address this disparity is a foundation stone of our work as a Board. It is also a core reason we each agreed to take up our roles on the Board, and commit our efforts and energy to this critical kaupapa.
21. We believe that Oranga Tamariki needs ongoing help and guidance to support its shift to providing an effective state care and protection system. We turn to that focus next, but are firmly of the view that Oranga Tamariki is not the ultimate point. The ultimate point must be to prevent harm from occurring in the first place, and in doing so that fewer tamariki need to be reported to Oranga Tamariki because of safety or wellbeing concerns, or because they are at risk of being harmed.
22. The state's system to support tamariki to be safe must be as effective as possible. A significant amount of Oranga Tamariki's current work largely exists because of gaps at multiple other points. These gaps include the absence of holistic support and services provided by a range of government and non-government agencies, for example mental health, disability and education.
23. We flag that while we will follow our terms of reference and stay focused on what you have asked for assurance and advice on, the recommendations we make below ultimately point to the reality that if we do not address the fundamental reasons for the flow into the system, all we will be doing is continuing to reactively band-aid and try to better support those in the system, not reduce harm from occurring in the first place.
24. That cannot be aspirational enough from any point of view, nor respect the choices that all our ancestors made to create better homes and futures for our tamariki here in Aotearoa New Zealand.
25. We believe that the future must be on activating stronger, thriving communities, including the purposeful strengthening of Māori collectives based on kin connections, as well as drawing on place-based leadership. This is necessary so that safer, healthier and happier tamariki and whānau are the outcome. Until we get closer to that, the need for a state care and protection system remains critical, with effective quality social work enabled as part of that – but this cannot be the ultimate end goal.

26. We believe that for genuine and sustained transformation, a two-track approach is needed:
- a. to simultaneously reset kinship and collective leadership responsibilities and resources to deliver for their whānau, and
  - b. to advance the effectiveness of the care and protection system so it is fit for purpose for the communities it serves.
27. These two approaches need to run in parallel, though the journey of each will diverge at times, and each track will run to different timeframes. Both must be supported through the long term, by which we mean at least for a generation, and so we must set our measurement framework out to this horizon. This is critical for two reasons:
- a. it will take at least a generation to achieve the transformation in outcomes that are necessary, particularly considering the political shifting experienced over the care and protection system of the past 30 years. This has done no one any favours, least of all our tamariki; and
  - b. Oranga Tamariki and other government departments, hapū, iwi, trusts, collectives and community groups, and political leadership at all levels of community and the nation must commit together to taking an approach to do whatever it takes, by whomever can best deliver, to enable transformation to safe and nurturing whānau who know their roles and responsibilities to the future and are supported to fulfil these for the next generation.

## WHAT YOU HAVE SPECIFICALLY ASKED FOR ASSURANCE ON

28. We outline here the level of assurance that we can currently provide you for the three areas you highlighted in our terms of reference. These are:
1. relationships with families, whānau, hapū, iwi and Māori;
  2. professional social work practices; and
  3. organisational culture.
29. By assurance, we mean our assessment on the overall adequacy and effectiveness of operations and of internal controls, policies, and programmes so that we are confident that Oranga Tamariki can deliver the strategic outcomes effectively. Our level of assurance takes one of the following three forms:
- **Unqualified statement of assurance** – *no material weaknesses reported*. We note that we are not able to provide this level of assurance, at this stage.

- **Work in progress is evident** – *some progress and a general understanding is developing. Significant ongoing weaknesses are noted, or change is not yet embedded. This level of assurance reflects that there may be examples of good practice or policy, however it is inconsistent across the organisation and progress remains vulnerable to change and direction.*
- **Identified as a gap** – *pervasive and comprehensive problems are apparent; there may be pockets of isolated effective action, but this is dependent on individuals. The Board is not confident that there is a strategy in place to effectively remedy these problems.*

30. Our views on the levels of assurance we can provide at this stage of our work is set out in the following table. Currently, we are unable to provide a high level of confidence against your questions. Accordingly, we make some recommendations for change to improve systems within Oranga Tamariki as well as the broader social sector system. Should these begin to be implemented, we hope we will be able to provide higher levels of assurance by the end of our two-year term.
31. We qualify our current low levels of assurance by stressing that the focus must be on effort to change, and we need to be able to collectively move from review to action. We also note that Oranga Tamariki has a range of work programmes in place that should, over time, make a difference and strengthen its ability to deliver improved outcomes.

## TABLE OF ASSURANCE

Table 1: Assurance Levels of the Terms of Reference

Terms of Reference Criteria		Assurance Level
<b>Part 1: Relationships with families, whānau, hapū, iwi and Māori including but not limited to:</b>		
<b>Assessment</b>	1.a <i>If and how the organisation has improved its capability to engage with Māori, including its current ways of working with Māori and/or how it is devolving decision-making and actions to Māori, for Māori</i>	<b>Work in progress</b>
	Some positive action evident, but significantly more effort is required. Coordination of efforts through a purposeful strategy to partner with and support Māori aspirations is required urgently.	
	1.b <i>If and how there has been an improvement in the understanding and incorporation of te ao Māori into its work, with a focus on the frontline</i>	<b>Work in progress</b>
	Some positive action evident, but significantly more effort is required. Coordination of efforts through a purposeful strategy to partner with and support Māori aspirations is required urgently.	
	1.c <i>If and how the aims and aspirations of local Māori and local communities are acknowledged and what actions are taken at local and regional levels to partner to deliver on these aspirations</i>	<b>Identified as a gap</b>
	Evidence of good relationships and practice at some sites, but inconsistent across the board. Many sites need a significant lift in the level of guidance provided to improve their capability to deliver for communities. This will be supported both by development of a strategy to partner with Māori and communities, and a social work sector workforce strategy.	
	1.d <i>What opportunities are there to enhance the experience and value of Māori social workers in the organisation, and how could these be further enhanced</i>	<b>Identified as a gap</b>
	Significant enhancement of both the Oranga Tamariki and the community social work sector workforce is required. Again, we expect this to be supported both by development of a sector workforce strategy, and through coordination of efforts and development of a strategy to partner with Māori.	



Terms of Reference Criteria	Assurance Level
<b>Part 2: Professional social work practices including but not limited to:</b>	
<p><b>2.a</b> <i>Assurance that the organisation is exemplifying quality social work practice that reflects the standards expected by and of the profession in 2020</i></p>	<b>Identified as a gap</b>
<p>The escalation of coercive, risk-averse policy directives in Aotearoa New Zealand's statutory child protection agency is undermining the quality of social work provision.<sup>7</sup></p> <p>This is constraining social workers and whānau alike, eroding the crucial social worker/whānau relationship that underpins best practice.<sup>8</sup></p> <p>Oranga Tamariki must refocus and prioritise social work as a core aspect of its system and support these professionals to promote whānau-wellbeing and social justice.</p>	
<p><b>2.b</b> <i>How the organisation is ensuring professional opinion in statutory decision-making is respected</i></p>	<b>Identified as a gap</b>
<p>There is evidence of a workforce under pressure and that lacks professional leadership and support.</p> <p>Statutory social workers are required to make decisions and professional judgements based on limited information while operating within the parameters of uncertainty, as well as risky and unpredictable situations. While there is evidence of effective decision-making by some social workers, this is patchy. This circumstance reflects the priority that Oranga Tamariki has placed on organisational risk-adverse management strategies and policies.</p> <p>Oranga Tamariki social workers are negotiating a complex and increasingly pressured practice environment, where difficult decisions are legitimised using risk adverse and policy regimes which do not always support quality engagements or professional decision-making.</p>	

7 Blumhardt, H, ATD Fourth World UK, Gupta, A Radical practice in a risk-averse environment: Learning from ATD Fourth World UK. Aotearoa New Zealand Social Work 29(2), 19-33

8 'Risky work: child protection practice', Ministry of Social Development (msd.govt.nz): <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/journals-and-magazines/social-policy-journal/spj30/30-risky-work-child-protection-practice-p163-177.html>

Terms of Reference Criteria		Assurance Level
Assessment	2.c <i>If and how practices are inclusive and respectful of professional opinion and advice, including when opinions differ</i>	<b>Identified as a gap</b>
	The social work voice within Oranga Tamariki is muted. Out of a leadership group of 11 throughout the last four years, only one voice at the table has had a social work lens. It is evident that professional practice views, opinions and experience are missing at many levels of the organisation.	
	2.d <i>Oranga Tamariki's commitment to training staff from onboarding through to professional development</i>	<b>Identified as a gap</b>
	Induction and continuing professional leadership and development, including more regular and current training for social workers is needed as a priority.	
	This includes a focus on the provision of training and support for supervisors and practice leaders.	
	2.e <i>Assurance that a mindset of continuous improvement exists which involves identifying what is working and what is not – that functions exist to allow these learnings to be fed back into the organisation in order to strengthen it</i>	<b>Identified as a gap</b>
While some assurance layers have been implemented over Oranga Tamariki's four years, there is a lack of clarity of the focus of that assurance (risk management versus professional learnings), who leads and drives assurance, and how continuous learning is promoted and shared across the organisation.		
2.f <i>Assurance that continuous improvement includes professional development and appropriate training of staff</i>	<b>Identified as a gap</b>	
Professional development and training is currently weak. This must be urgently reprioritised.		

Terms of Reference Criteria	Assurance Level
<b>Part 3: Organisational culture including but not limited to:</b>	
<p>3.a Assurance that the whole organisation practices and adheres the Positive Workplace Behaviours Model Standards</p>	<b>Identified as a gap</b>
<p>We expect that Oranga Tamariki will incorporate adherence to the Positive Workplace Behaviours Model Standards in all its organisational arrangements, in line with expectations on all public service agencies.</p>	
<p>3.b Improvements required to strengthen the connection and alignment between leadership, management and frontline staff</p>	<b>Identified as a gap</b>
<p>It is clear there is a disconnect between sites, regions, and national office. The degree of gap seems dependent on personal relationships and preparedness to work around systems and processes that are in the way of a coordinated approach. Sites and regions should not have to find ways to work around processes. Systems, processes, and procedures must be designed to enable sites and regions to deliver safe and effective outcomes to communities.</p>	
<p>3.c Assurance that the whole organisation has robust procedures in place that relate to the confidence of staff that they can 'speak up' safely</p>	<b>Identified as a gap</b>
<p>There are processes in place for internal complaints. However, these do not appear to be effective in all cases.</p>	
<p>3.d The level of understanding on the frontline and at regional level of the operating model, the vision of devolvement for the future, and their individual roles in achieving that vision</p>	<b>Identified as a gap</b>
<p>There appears to be general acceptance of the need to devolve decision-making and resourcing. Significantly more effort is needed to ensure clarity and purpose of Oranga Tamariki and its different functions, and how the work of each group, team, and individual contributes to those outcomes. A strategy to partner with Māori and communities should assist with this.</p>	

## OUR METHODOLOGY

32. In the five months since the Board’s appointment, we have received data and information from over 70 hui with iwi authorities, marae, providers, government agencies or individuals, as well as upon request from Oranga Tamariki, or through research undertaken by the Secretariat supporting the Board. The Board has also gathered insights from visits to over 20 sites, several care and youth justice residences, and at least a dozen social worker clinics with frontline Oranga Tamariki staff.

Location	
Rotorua	Ōtautahi/Christchurch
Kirikiroa/Hamilton	Taranaki
Tāneatua	Tauranga
Tāmaki Makaurau/South Auckland	Kaitaia
Whangārei	Kaikohe
Tūranga-nui-a-Kiwa/Gisborne	Ōtepoti/Dunedin
Wairoa	Te Awakairangi/Lower Hutt
Heretaunga/Hastings	

33. The community engagements have enabled whānau, hapū, iwi and providers to share their views on how Oranga Tamariki can better support and empower whānau. Notes of each hui were taken for the Board. Themes, suggestions and innovative ideas from all engagement have been categorised and analysed by the Board and Secretariat, and are reflected in *Snapshot of things people told the Oranga Tamariki Ministerial Advisory Board*.
34. The operational data used in this report has been provided by Oranga Tamariki. All data reported by the Ministerial Advisory Board has been aggregated. There is no risk to privacy of tamariki or Oranga Tamariki staff. The information provided to the Advisory Board is stored securely within the Oranga Tamariki network and access to this has been limited to the Ministerial Advisory Board and to the Board’s secretariat team. As part of the assurance process for data analyses and reporting, we have engaged with members of the Oranga Tamariki analytical community to ensure, where relevant, the data is treated appropriately and to verify the accuracy of outputs.
35. Having briefly set out our approach to preparing to report to you, we next turn to our recommendations. Where at all possible, these are focused on changes that can begin to be implemented immediately. We reiterate our point above that implementation must be sustained not only over the two years of our term, but for the long-term or else there is a significant risk of wasted investment.



# RECOMMENDATIONS FOR CHANGE

## 1. RELATIONSHIPS WITH FAMILIES, WHĀNAU, HAPŪ, IWI AND MĀORI

36. We note that the first part of our terms of reference asks that we provide you with assurance on the status of Oranga Tamariki's relationships with families, whānau, hapū, iwi, and Māori. As set out in *Table 1: Assurance Levels of the Terms of Reference* we are only able to provide a relatively low level of assurance in response.
37. We have already stated that to prevent harm and improve outcomes for tamariki and their whānau, particularly for Māori, then collective Māori responsibility and authority through traditional and contemporary social structures must be strengthened and restored. This must be done in a way that is fit for purpose within a modern context, with the Crown taking an enabling role to support Māori and communities to lead prevention in particular.
38. To achieve this, adequate resources and authority must be shared equitably with Māori. In parallel with this, we expect that many of the services and support for tamariki and their whānau currently delivered by Oranga Tamariki can, over time, instead be provided by Māori and community groups. The primary role for Oranga Tamariki social workers can then be to respond to emergency situations and navigate tamariki and whānau to immediate help in order to secure their safety and protection.
39. The need for both shared responsibility and equitable resourcing is clear, as it was in the *Pūao Te Ata Tū* report of 1986 and every review of the care and protection system up to the Waitangi Tribunal's findings earlier this year. The evidence that the needs of tamariki Māori and whānau are not well served by the current system is unequivocal.
40. Coming into contact with the current care and protection system, even if only briefly, can reinforce and cause further damage to tamariki and their whānau, as well as to broader social cohesion. The primary solution is to prevent the need for so many tamariki and whānau to come to state attention, and for those that do, that the time they are engaged with the system is as short as possible and that their whānau are supported to heal so that they can safely take back the care of their tamariki. Investment must be geared towards that prevention focus and to the system recalibration needed to enable it.

41. Rather than a piecemeal approach, a change in delivery and outcomes is needed in order for transformation to be achieved. Past attempts at incremental change by government agencies have never fully realised the outcomes envisioned because of inconsistent implementation, political direction adjustment, and a failure to stay the course. This is apparent from across a range of critical indicators of wellbeing including housing, education, employment, health, and justice. It is not tenable, nor is it a good return of investment from taxpayer spend, to continue to invest in what is not delivering the necessary outcomes.

“[It’s] all about supporting iwi to lead out for their rohe – that’s what the officials have to trust. They’re not the point – it’s about whānau. Government have to shift their mindset to follow the iwi. [That’s the] best way of collectivising and avoiding competition and duplication”.

– *Representative from Oranga Tamariki s7AA strategic partner*

42. Therefore, **our overarching recommendation under our first term of reference is that collective Māori and community authority to lead prevention of harm to tamariki and whānau must be strengthened.** This should be supported by changing how we invest, so that there is adequate and equitable funding secured for the long-term for Māori and community groups to lead prevention, and in order to provide more benefit for all New Zealanders.

43. To bring this overarching recommendation to life, the Board more specifically recommends that:

a. Oranga Tamariki starts planning immediately for a series of regional engagements to identify and articulate local solutions and the resources, people, and investment necessary to successfully implement care and prevention responses for both the short and long terms. These should be captured into consolidated regional plans, owned by the community and facilitated by Oranga Tamariki.

b. We further recommend that you, as Minister for Children, should lead this engagement, supported and facilitated by the Oranga Tamariki Chief Executive.

c. Oranga Tamariki regional managers from Services for Children and Families and Partnering for Outcomes could be tasked with drawing on existing relationships and collaborations with iwi, collectives, and community. They could identify and bring together the multiple layers of community within the region that need to be part of the solution.

44. Recognising the efforts that Oranga Tamariki has been making to partner under section 7AA of the Oranga Tamariki Act, we note these are nonetheless reactive measures. Furthermore, there is no coordinated strategy in place to guide Oranga Tamariki as to how it could distribute resources equitably and sustainably, or to devolve authority. The absence of a plan has limited the organisation’s ability to partner successfully. To date, this has been done in a piecemeal fashion, creating confusion inside and outside of Oranga Tamariki. A strategy to partner must therefore be prioritised.

45. The development of a strategy to partner with Māori and communities should include robust consideration of privacy issues, as partners will need access

to sensitive information if they are to be able to plan their response and the resourcing it will require. Our understanding of the Privacy Act 2020 is that it enables the appropriate and careful use of relevant information rather than creates any blanket bans on access to information, but there will be sensitive privacy matters that need to be worked through. A logical way forward is to invite the Office of the Privacy Commissioner to work with Oranga Tamariki, so that Oranga Tamariki can ensure options for how data can be safely acquired and shared with partners, in accordance with the legislation, are understood and being effectively implemented. This should lead to a future-proofed tikanga approach to sharing information with hapū, iwi, Māori collectives, and communities.

46. We would like to work closely in support of your engagement with communities, as we consider that this would enable us to collectively pick up and advance the many ideas for community response that have been outlined to us throughout our engagement with communities since February 2021. We consider that being part of these ongoing conversations will help ensure that the process meets the intentions of our recommendations, and so helps communities to be confident that their aspirations and commitments have been heard and will be supported through to success. We see supporting community leadership to plan and begin implementation of their solutions as one of our critical roles as a Board over the next 18 months.
47. Current sector services and community initiatives need to be consolidated into regional plans that are accompanied by a complementary process to articulate the role of the local Oranga Tamariki team. An assessment of what services and roles are currently located within Oranga Tamariki and may be transferred to Māori and community groups (such as kairaranga roles) should be undertaken. This should ultimately include agreeing at the local level what the necessary workforce mix is by location, for both Oranga Tamariki and the community. This may include exploring possibilities where Oranga Tamariki and the community come together and work as a team to meet the needs of their tamariki and whānau.
48. We understand that Oranga Tamariki intends to shift to a regionally-focused approach to strategise, deliver and partner, with national office providing an enabling role. We support this direction.
49. Discussions in the regions should start with those who are ready to activate their response to the challenge. This must also include amplifying the voices of tamariki and rangatahi themselves, as they must be supported to guide the response of both Oranga Tamariki and the community to their needs and aspirations.
50. As noted, through our engagement to date we have heard from a significant range of hapū, iwi, collectives, and community leaders who have been actively readying themselves to action their leadership roles and collective responsibilities. We are confident that there is much already in place, and actively being planned, that can be leveraged and supported to be part of long-term community-based solutions.

“We are aware that many whānau don’t want to come into the office – they don’t trust us. Past experiences have not always been positive. We are working to change this situation”.

– Oranga Tamariki site leader



51. From these conversations, we have identified a particular suggestion we would like regions and communities to consider within their planning; this is whether regions and communities would see value in establishing local helplines, staffed from within the community, to take requests for help from whānau who are under stress, and actively navigate whānau to local enabling networks, including to any active local Whānau Ora providers. Concerns of immediate risk of harm must of course continue to be notified immediately to Oranga Tamariki, as the safety of tamariki must be the priority for all.
52. We make this suggestion because it is clear to us that some whānau need support and assistance to heal, however they are not specifically supported to do so by any one government agency. Instead, holistic support and services for whānau are located across a number of agencies and sector portfolios, rather than according to the needs of whānau. We think facilitating better access to practical local support networks is immediately actionable.

## 2. CONTINUE TO IMPROVE THE SYSTEM TO ENABLE EFFECTIVE SOCIAL WORK

53. The second part of our terms of reference asks for assurance and advice on professional social work practice. The specific questions you have included under this focus area centre on surety that Oranga Tamariki exemplifies quality social work practice, respects professional opinion in statutory decision-making, and is providing the training and professional development to enable this, as well as promotes a culture of continuous learning and improvement. As noted in the *Table of Assurance (Table 1)*, we are not able to provide a high level of assurance to you on the professional social work practice of Oranga Tamariki.
54. For each of your questions under this term of reference, the level of assurance we can currently provide is noted as 'identified as a gap.' This means that overall, while acknowledging there are pockets of effective action, we think there are pervasive gaps and progress is isolated and dependent on individuals. It is not apparent to us that there is a clear and uniformly understood approach for embedding positive change or learning from positive examples.
55. We are particularly concerned about the wellbeing of (particularly) care and protection staff. They carry high and complex workloads with minimal support beyond regional offices. The current quality and provision of training and professional development is not at an acceptable standard. The reduction in provision of training since 2017, with the expectation that supervisors and practice leaders will primarily be the trainers, has impacted on the capacity of these professional leaders to carry out their responsibilities effectively.
56. In stating this generally low level of assurance, we reiterate the need to move from judgement to action, with all energy focused on urgent improvement. Oranga Tamariki has been comprehensively judged already, and far more so than many of its fellow agencies who, from what we have observed from our experiences in our broader roles, are not all delivering on their obligations to ensure better outcomes for tamariki, particularly for whānau Māori facing



multiple stresses. These government agencies are not always particularly visible in providing solutions when they also have obligations to do so. The focus must be on a collective approach to achieving improved long-term outcomes for tamariki and their whānau.

57. We do not expect this low level of assurance will come as a surprise to Oranga Tamariki staff, as not only have they heard it before through the five reviews of the last few years that have preceded us (and also in the numerous reviews conducted pre-2017), but many Oranga Tamariki staff members have identified the problems to us themselves.<sup>9</sup>
58. While seeing the scale of the challenge, Oranga Tamariki staff have also impressed on us that they are committed to improving the impact of their work. We also want to acknowledge that Oranga Tamariki's work is hard. Social workers are expected to manage ambiguity, uncertainty and to make judgements that no other agency or professional is called upon to make, within a system that requires them to constantly reassess priorities.
59. The contributions of Oranga Tamariki staff, particularly social workers and other frontline staff, must be better supported and valued. This should also help to improve the wellbeing of frontline staff, which we have some significant concerns about, and should assist in re-establishing the confidence of social workers as professionals within Oranga Tamariki, confident that the leadership from national office is focused on supporting their work.
60. It seems to us that trying to replace professional judgement with protocols, tools, and guidelines risks ignoring the fluidity of child protection practice.<sup>10</sup> In all matters there must be a space for the professional voice of social work to be heard.
61. In addition to the already well-traversed challenges of Oranga Tamariki, we have identified the ambiguity of Oranga Tamariki's primary purpose and how that translates into clarity of functions as a significant issue. There are multiple distractions across Oranga Tamariki, with a large number of programmes, policies, projects, teams, focus areas, and funding options in place yet to be aligned and measured for impact individually or together. To add to the complexity, there are multiple reporting lines and multiple demands on social work time, with layers of uncoordinated direction coming from national office at regular intervals, limited technological solutions, and an ever-complex, oversubscribed workload bearing down on them. This impacts on a social worker's ability to focus on their critical work. In addition, we have been told numerous times that the focus of national office appears to be on organisational risk management and not explicitly on the needs of tamariki, rangatahi and their whānau as it needs to be.

"At times, senior management make decisions without consideration for staff experience and who is best suited to do the work. Decisions get made for us or changed, without consulting us. We are left isolated and confused about what is happening to the whānau [we work with]".

– Oranga Tamariki social worker

9 Reviews and Inquiries | Oranga Tamariki — Ministry for Children: <https://www.orangatamariki.govt.nz/about-us/reviews-and-inquiries/>

10 This has been identified to Oranga Tamariki previously – see for example Conolly and Doolan (2007:3)

62. Our overarching recommendation for this second term of reference, therefore, is that **the purpose of Oranga Tamariki must be clarified**. This includes clarifying **who Oranga Tamariki primarily exists to serve**. This clarity should then provide direction for Oranga Tamariki key priorities and what to establish baselines for. Within clarifying the purpose, the Oranga Tamariki social work role must be more clearly defined; this will help identify the mix of skills, capacity and capability needed within the social work sector workforce.

"Social worker voice in Oranga Tamariki is a little more than a whisper. It needs to be strengthened".

- Oranga Tamariki site leader

### Why we make these recommendations

63. In our update to you of 30 April 2021, we identified some emerging themes including pressures on Oranga Tamariki social workers and their practice. The disconnect between national, regional and site offices seemed stark. Our ongoing discussions since April with a large number of Oranga Tamariki sites and staff from national office confirms these views. Further, this has led us to be particularly concerned about the pressures that Oranga Tamariki care and protection social workers are experiencing. Significant numbers of social workers are not receiving adequate support from their employer. Often frontline social workers forgo their own wellbeing to respond to reports of concerns regarding tamariki and their whānau, and to act on other organisational demands.
64. We think this is partly due to the devaluing of the social work voice within Oranga Tamariki, resulting in a shift in focus away from professional social work as the core work of Oranga Tamariki. This has included a diminishment of the influence of the Office of the Chief Social Worker who, under the 2017 Oranga Tamariki model, has been one of at least 11 voices at the Deputy Chief Executive level of the Oranga Tamariki leadership team. This contrasts with the situation before Oranga Tamariki's establishment, when the Chief Social Worker was a core role at the leadership team operating in close partnership with the Chief Executive, with the Office of the Chief Social Worker - and social workers generally - influencing decisions and priorities across the agency.
65. The Board acknowledges the changing landscape of Aotearoa New Zealand and the need identified at 2017 to significantly readjust in order to achieve better outcomes for tamariki and their whānau. We understand that many of the changes at Oranga Tamariki since 2017 have been seeking to respond to these. However, it is clear that the change in the valuing of the social work voice since 2017 has impacted negatively on the core functions and responsibilities of Oranga Tamariki.
66. We believe there is a need to reclaim the primary role of Chief Social Worker as the leader of the profession within Oranga Tamariki. This role must work in close partnership with the Chief Executive, and be responsible for the re-professionalisation of Oranga Tamariki social work. A social work perspective should be reflected not just in the groups that deliver social work, but across all aspects of the agency - in policy, governance, engagement, and in the design of all training and professional development and a range of back-office functions.

The voice of social workers must be strongly amplified, with a commitment from the agency to listen.

67. We also believe that strengthening the role of Chief Social Worker will support the ability of Oranga Tamariki to identify any emerging patterns in social work practice, and to address them before they risk becoming patterns of behaviour or developing into systemic issues.
68. Supporting Oranga Tamariki frontline social workers must be at the forefront of the agency's own resourcing and planning. We state this as we heard from many frontline and national office staff that there is a lack of coordinated support for important aspects of frontline social work. Priorities are decided by national office, and sites and regions are expected to respond. Sites and regions advise that their needs are infrequently considered, and it feels like a top-down approach rather than a conversation between the centre and the regions and sites.
69. We have observed in addition that the relationship between the National Contact Centre and sites and regions - particularly in relation to intake and assessment processes - is not clear to all. It is critical that tamariki and their whānau who need help are provided with an appropriate response as soon as possible, and that any delays in referring from the National Contact Centre to sites is addressed as soon as practicable. We suggest that the purpose and functions of the National Contact Centre should be reviewed by Oranga Tamariki over the coming months, with an emphasis on processes that support the work of frontline social workers. This should also include consideration of whether and how Oranga Tamariki refers tamariki to non-statutory services after they have been assessed. This is important because of the focus on prevention services provided by partner agencies, and given the decreasing rates of referral to other services after a site has received a Report of Concern.
70. In order to be effective at administering the principles of the Oranga Tamariki Act 1989, the Care of Children Act 2004 and the Adoption Act 1955, a strong understanding of the legislation and of how the legislative authority should be utilised is required. This is critical, particularly considering that the legislation vests some of the most extensive powers held by any government agency or agents of the state. But there is a lack of training and support in the early onboarding months of some Oranga Tamariki social workers to understand the legislation, their obligations, and how the legislation can be used to support whānau to be self-determining and innovative.
71. When we consider the many functions that social workers cover, it is not hard to identify how the various layers of complexity create confusion as to the scope of the social worker role within Oranga Tamariki and their flexibility to innovate.

"For social workers the training is intermittent, lacks quality and at times [is] delivered by a person who does not understand the profession".

– Oranga Tamariki social worker



72. This ambiguity is compounded by the reality that the process from report of concern through to intake, assessment, Hui-ā-Whānau, Family Group Conference, and potentially through to Family Court and, when necessary, into care – and then with whom – is complex. It is also often messy, with multiple steps overlapping different approaches depending on which site, and limited visible exit points to de-escalate concerns and triage to prevention. This includes an assumption by some that in order to access the resourcing needed to implement agreed plans, often an escalation to greater legal formality is seen as the most efficient or even only course of action.
73. We have heard from social workers, supervisors, and managers at sites that these process steps create challenges and silos.<sup>11</sup> In addition, many report that they find the multiple layers of reporting and management at any one site confusing, and also often burdensome. The different reporting layers can undermine local authority and the ability to innovate. National office does not always ask sites what is needed to complete reporting or indeed to effectively service their community.
74. Local site staff, including social workers, told us that they feel that they do not have time for adequate reflection, that induction and training is poor, and that care and protection social workers are overloaded. They are managing numerous cases where high and complex needs are significant factors. In some instances we were alerted to the overloading of cases on them whilst other site roles seem to have comparatively light loads. The uneven and inconsistent workload is not seen to be understood by decision makers in national office. This means it cannot be addressed.
75. While levels of clarity vary between sites, what does seem to be clearly shared across the sites we visited is that there is an immediate need to better support Oranga Tamariki to understand the organisation's key functions and that of its social workers, and then equip them to undertake those functions well.

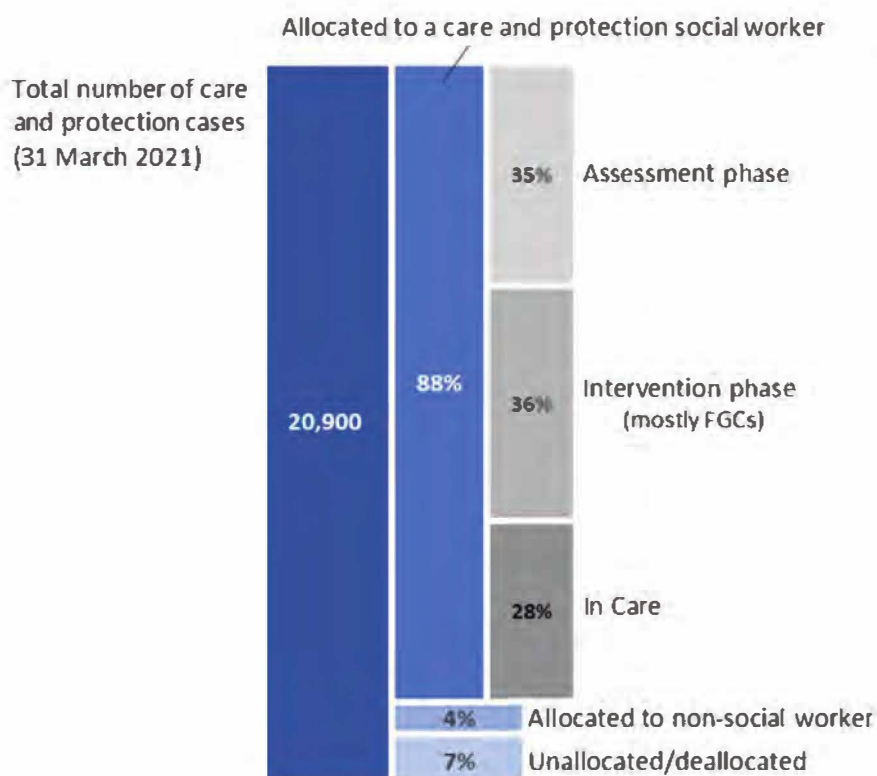
11 See *themes from engagement: Snapshot of things people told the Oranga Tamariki Ministerial Advisory Board*; we note that a useful outline of the process steps is included as *Appendix/ Āpitihanga 8: Tukanga tiaki me te whakamaru* in the August 2020 report of the Chief Ombudsman, *He Take Kōhukihuki | A Matter of Urgency*



## High-level analysis of social worker capacity in care and protection

76. In this section, we summarise an analysis of social worker capacity in the frontline care and protection system. This analysis uses CYRAS data and workforce data to examine trends in the number of care and protection cases and the number of care and protection social workers since the establishment of Oranga Tamariki in 2017.
77. Figure 2 shows that of the 20,900 tamariki in the care and protection system as of 31 March 2021, 88 per cent (18,400) of those tamariki are allocated to care and protection social workers.<sup>12</sup> The rest are either allocated to people who are not designated as social workers<sup>13</sup> (900 tamariki), or are unallocated or deallocated (1,500 tamariki).<sup>14</sup> Of the tamariki allocated to care and protection social workers, relatively even proportions are being worked with in the assessment and intervention phases of practice (35% and 36% respectively) with 28% of the tamariki in care.<sup>15</sup>

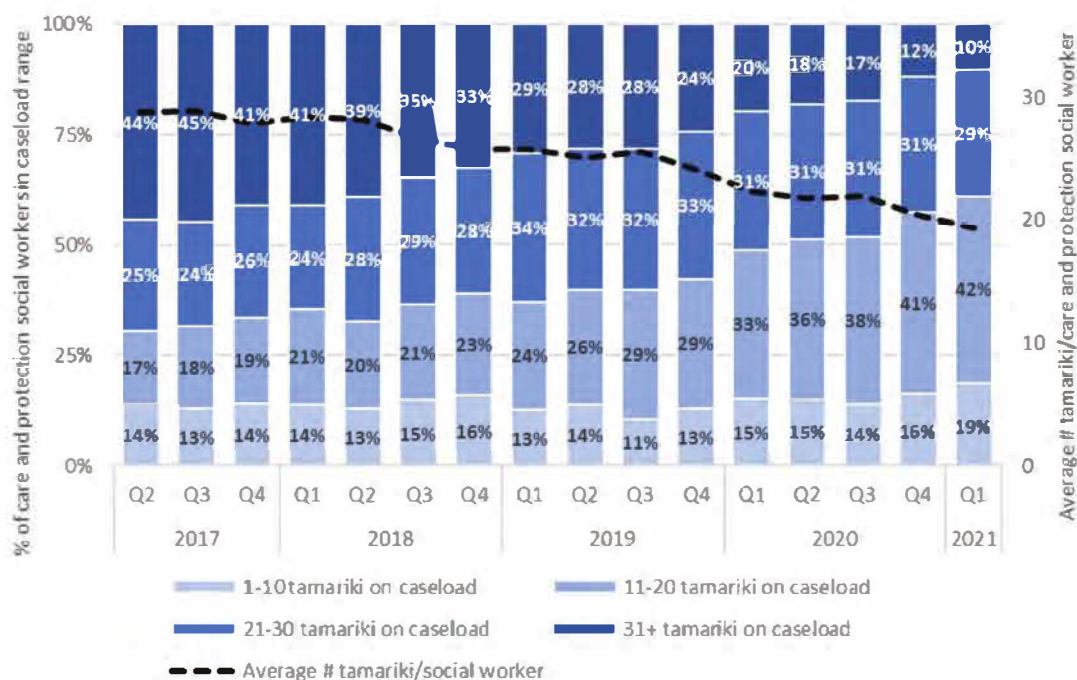
**Figure 2: Number of tamariki in care and protection and how Oranga Tamariki is working with them (by allocation and phase)**<sup>16</sup>



- 12 Care and protection social workers in this analysis are defined by the following criteria: position title includes social worker or senior practitioner (and excludes 'adoptions' or 'caregiver'). Employees are 'active' and are 'permanent' or 'fixed-term' and are based in the 'Services for Children and Families' operational groups.
- 13 Includes mostly staff who have social work training and experience such as supervisors, practice leaders, or coordinators, including social workers from other service lines such as adoptions or youth justice.
- 14 Unallocated' are tamariki who have not yet been allocated to a key worker and 'deallocated' means tamariki have been unassigned from a key worker. This number does not include Reports of Concern in the National Contact Centre queue that have been received but are yet to be sent to sites.
- 15 Percentages do not add up to 100 per cent due to rounding.
- 16 Percentages do not add up to 100 per cent due to rounding.

78. Figure 3 shows caseload sizes over time. Since 2017, there has been a decrease in the average number of tamariki allocated per social worker and also the proportion of social workers with high caseloads. While this demonstrates progress in reducing the size of caseloads, as of 31 March 2021, almost 40% of social workers had more than 20 tamariki allocated to them. This is consistent with what we heard from frontline social workers, that it is not uncommon for social workers to carry 25 or more tamariki on their caseloads.

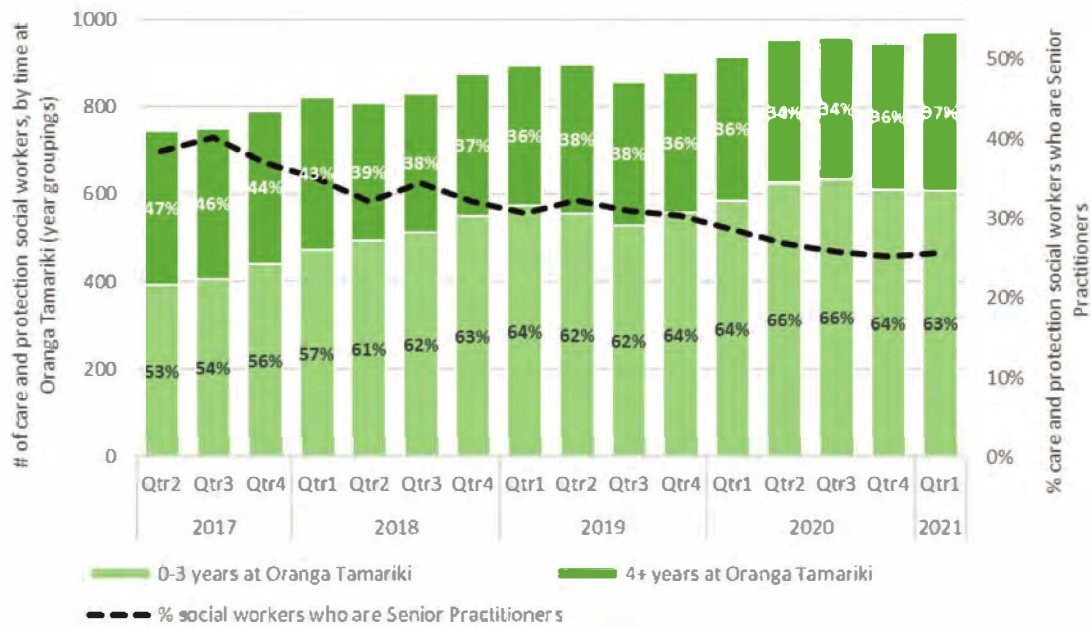
**Figure 3: Number of tamariki on care and protection social worker caseloads - spread and average<sup>17</sup>**



79. Figure 4 depicts the number of care and protection social workers and their level of experience over time. It shows:
- the number of care and protection social workers has increased by 30% since 2017,
  - relative to 2017, the overall social worker workforce is less experienced. Since 2017, the proportion of senior practitioners (senior social workers) in the care and protection workforce has dropped from 38% to 26% and similarly, the proportion of care and protection social workers with four or more years' experience has dropped from 47% to 37%. The reason for this change in the workforce is the combined impact of hiring a large number of new staff in a relatively short space of time coupled with the attrition of experienced staff leaving.

<sup>17</sup> Percentages may not add up to 100 per cent due to rounding.

Figure 4: Number of years working at Oranga Tamariki for care and protection social workers and proportion of senior practitioners



“We need proper people in the support roles to undertake tasks that do not need the expertise of a registered social worker. For example, to supervise visits, to transport and contact. These auxiliary workers need to be the right people with experience as some cases are complex and young people can be unpredictable.”

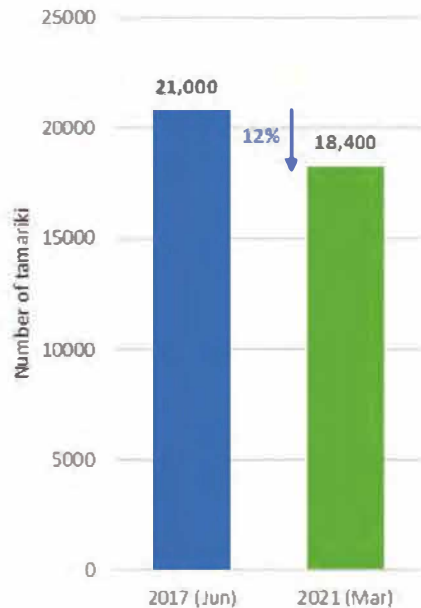
– Oranga Tamariki social worker

80. The following figures show that the overall number of tamariki allocated to social workers has decreased since 2017 (figure 5) and that this has largely been driven by a 22% decrease in the number of tamariki primarily in the assessment phase (figure 6).<sup>18</sup> The number of tamariki in open interventions (tamariki in Family Group Conferences and with active plans) and tamariki in care has also reduced, but to a lesser degree.

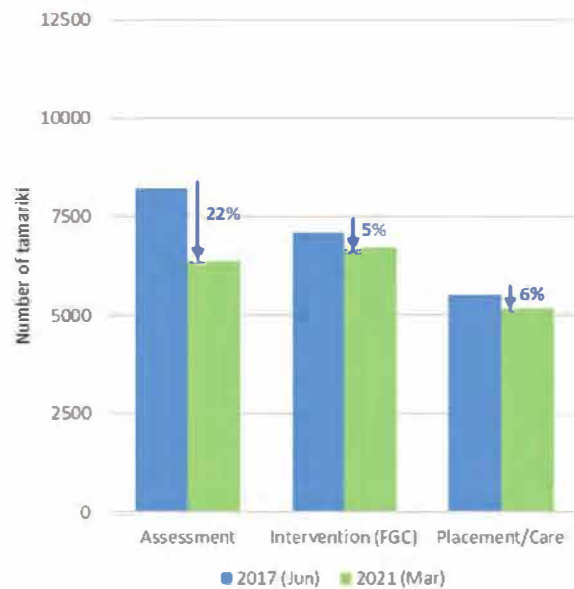
<sup>18</sup> For these tamariki, Oranga Tamariki has received a Report of Concern, conducted an initial assessment, and decided that further assessment is required to decide if statutory intervention is required.



**Figure 5: Number of tamariki on care and protection social worker caseloads (2017 and 2021)**



**Figure 6: Number of tamariki on care and protection social worker caseloads by phase (2017 and 2021)**



81. Based on Figures 2 to 6, we draw the following insights:

- a. Caseloads have decreased over time, primarily driven by significant numbers of new staff being brought onboard. The number of care and protection social workers has grown by 30% over four years.
- b. The total number of tamariki on social worker caseloads has dropped by 12% since 2017. The 12% drop in open cases has also contributed to lower caseloads, and has been mainly due to a decrease in number of tamariki in the assessment phase, leaving a relatively higher proportion of work focused on intervention and care. That is, while there are fewer tamariki per social worker, the tamariki that social workers are working with are more likely to be going through Family Group Conferences or in care. This arguably means more complex work as these are tamariki who have met the threshold for statutory intervention.
- c. Lower caseloads could be taken at face value as a significant indicator of progress. However, it is important to consider that caseloads have been driven down by hiring of more staff in a relatively short period of time. New workers with less experience take time to train and induct, may not be as proficient with complex cases, and require guidance from more experienced practitioners. This is compounded by the challenges, explored elsewhere in this report, that Oranga Tamariki faces with inducting and training social workers. Caseloads are lower but at the same time, a higher proportion of care and protection social workers have less experience.
- d. Until the workforce achieves some sort of balance in overall experience level (that is, is less weighted towards inexperienced social workers), the drop in caseload sizes and any implication that this leads to better quality practice and improved outcomes should be viewed with caution. This is



consistent with our observation that social workers are under a high level of pressure. More insight into the effect of decreasing caseloads on overall practice is needed. We will include this in our work from July this year.

### The role of Oranga Tamariki needs to be clarified

82. The role of Oranga Tamariki needs to be clarified so that it can focus on its core functions. The role and functions of Oranga Tamariki have become very broad, as reflected even in its name, which implies it exists to support oranga for all tamariki.
83. As of 2021, there are 1.16 million tamariki in Aotearoa New Zealand,<sup>19</sup> which is just under one quarter of our national population. Of these 1.16 million, in a typical year approximately five per cent come to the attention of Oranga Tamariki in the form of a Report of Concern,<sup>20</sup> and about 0.5% are in care.<sup>21</sup>
84. From these numbers, we can be confident that the vast majority of whānau in Aotearoa New Zealand are able to comprehensively and safely care for their tamariki and rangatahi. But some tamariki and whānau do need more support, perhaps because of behavioural or developmental challenges or because of the varying impacts of poverty and/or the environment in which tamariki live, including the often-complex mix of stresses their whānau are under. These needs often seem to slip between cracks in what government as a whole can provide, with no one agency responsible for the holistic needs of whānau.
85. The stresses that some whānau experience include unstable housing, precarious employment and income, health (including the impact of drug and alcohol misuse, and particularly the growing impact of methamphetamine use without adequate support or services to address this) and wellbeing concerns. Stress on whānau can also arise from lack of positive connections and networks to support resilience or safe transitions across key phases from childhood to adulthood. Responsibility for these matters sits across a wide range of government agencies.
86. The combination of these stressors is a reason why we recommend that the purpose of Oranga Tamariki should be clarified. This should include clarifying who Oranga Tamariki primarily exists to support. Clarifying this will help identify the capacity and capability needed in the social work sector workforce and what roles are needed, at both the local and national levels. It should clarify Oranga Tamariki's role within the government system, and what roles other government agencies will lead or provide meaningful support to tamariki and whānau for.

"[I] want an agency that is clear about its role. That the expectations of us are achievable. Right now, Oranga Tamariki is required to 'fix' everything".

- Oranga Tamariki social worker

19 Tamariki aged 0-17, estimate as of 31 March 2021, StatsNZ, InfoShare.

20 56,600 individual tamariki in the period 1 April 2020 to 31 March 2021.

21 5,400 tamariki in care as of 31 March 2021.

87. Importantly, confirming the Oranga Tamariki social worker core roles and functions will also assist in identifying what roles are needed within hapū, collective, and community organisations in order to lead their community's response. This in turn will help ensure that a combined and complementary sector workforce matches the needs of the community.
88. We recommend that this is brought together into an Oranga Tamariki workforce strategy. Combined with our recommendation under our first term of reference for regional plans, we think that ultimately an Oranga Tamariki workforce strategy would complement, and be complemented by, identification of community workforce needs.

### Induction, training, and professional development must be improved

89. We consider that urgent improvements to the provision of supervision is required. This includes succession planning and training for new supervisors and ensuring that supervisors and practice leaders have the time and resources to focus on all aspects of supervision, including reflective supervision. Supervisors should not have to carry active caseloads themselves. We have been told that social work supervisors take responsibility for active caseloads when sites are under-resourced or social workers are still being (or waiting to be) inducted or trained.

“Training and preparation for social workers are not adequate. We throw social workers in the deep end without proper statutory training and induction.

The organisation has social workers dealing with significant caseloads and complex cases before they can turn on a sixpence”.

– Oranga Tamariki social worker

90. This will require that capacity is increased and that resources are provided, as well as enabling more flexibility at sites as to how resources are deployed for maximum effectiveness. This is particularly the case when considering pressures outside of standard working hours at many sites. We consider that standards and provision of induction and training by Oranga Tamariki for new staff - and particularly for new social workers - as to what Oranga Tamariki core social work role is, including the legal parameters of the relevant legislation, is in urgent need of improvement.

### Shifting from a caseload equation to better understand what support is needed, and by whom

91. As a critical part of strengthening the capacity and capability of social workers, it is clear that there is a need to improve the sophistication of workload monitoring beyond that of the average number of tamariki per social worker. This may take the form of a suite of related indicators, or a single workload indicator that reflects complexity of cases and can account for workload pressures or the capacity of staff. We have consistently heard that far too many (often care and protection) social workers are overloaded and stretched to breaking point, often work long hours, and with limited confidence that the load can be shared in the immediate future, or that national office has noticed their predicament.

92. There are also challenges in understanding the relative differences in workloads in care and protection, youth justice, and caregiver social workers. This makes it difficult to make transparent and justified decisions about how best to balance organisational resources and capacity. Additionally, there is some evidence that there is disconnection between the intake, assessment, and care roles of Oranga Tamariki social workers and that this has led to silos, even at the site level.

“The volume of cases that are complex are through the roof. How can we measure complexity in a ‘caseload’? Caseload figures are not reflective of reality, or the time needed to deliver quality services”.

– Oranga Tamariki site leader

93. This leads also to the need to strengthen the combined workforce capacity at the site level, to support Oranga Tamariki social workers to be free to undertake their role more effectively and with less pressure, and to be more responsive to the needs of the community. Ultimately Oranga Tamariki sites could be supported to come together with their surrounding communities to deliver a combined response, and together decide the lead roles and resourcing needed to deliver different stages of social work. Identifying the best mix of skills and resources for the site will be enabled – and required – by the establishment of regional action plans.

94. We make these recommendations in line with our second term of reference and in recognition of the reality that, even with full commitment and action underway in response to the reviews into Oranga Tamariki to date and to our recommendations, the need for state care will take a long time to reduce. The focus on ensuring the state care and protection system is the most effective it can be, must continue.

### Supporting a return to the intention behind Family Group Conferences

95. While not a specific focus of our second term of reference, we cannot finish our discussion on social work without commenting on the need to reclaim the original intention and principles of Family Group Conferences.<sup>22</sup> This was to empower whānau to make their own decisions, and to agree the plan as to what support was needed to enable safety and care concerns for te tamaiti to be resolved within the extended whānau, hapū and iwi. Oranga Tamariki’s role was to either approve and resource the plan for te tamaiti, or to strengthen aspects of it, including if needed through application for Family Court Orders.

96. Unfortunately, from our engagement with both Māori communities and with Oranga Tamariki staff, it is apparent that Family Group Conferences do not always support whānau planning and decision-making in many cases. Many commented to us that Family Group Conferences have instead become pro forma meetings, with significant concerns expressed as to Oranga Tamariki having assumed the lead role over whānau, and planning and outcomes predetermined without substantive input from whānau, hapū and iwi.<sup>23</sup>

22 Walker, H; Allan, G; Featherstone, T; Hewitt, A; Keith, G; Smith, D *Family Decision Making: A conferencing philosophy*, Wellington (2000)

23 See *Snapshot of things people told the Oranga Tamariki Ministerial Advisory Board*.



97. Others noted that Hui-ā-Whānau now work, at least in some areas, in the way that Family Group Conferences were supposed to. This is because these hui are led by whānau and, while the social worker may be invited to attend, they are not a key participant to determining the outcome. That is the family's role. However Hui-ā-Whānau do not provide the statutory authority to plan, decide, and resource next steps. To get the support needed to implement the plan that can keep a child safely with their whānau, often the case needs to escalate to a Family Group Conference just so that resourcing can be accessed. For similar reasons, cases may also go forward to the Family Court as court orders specify resourcing and support expectations and obligations.
98. While we are not yet in a position to make recommendations on changes to Family Group Conferences or to comment in any depth on the interaction between Oranga Tamariki and Family Court processes, it is clear that having to escalate cases up the chain just to access resources that could help defuse concerns is inefficient and illogical. Neither should the creation of Hui-ā-Whānau become an excuse for the intention behind Family Group Conferences to empower whānau decision-making to be ignored. Meanwhile it seems clear to us that many whānau find the process from Hui-ā-Whānau to Family Group Conference and through the Family Court confusing and disempowering. There is a need for much greater advocacy and support in order to be able to participate meaningfully in decisions about their tamariki.
99. Moreover, section 18AAA of the Oranga Tamariki Act already specifies that 'if the chief executive is not satisfied that a child or young person is in need of care or protection but believes that holding a family group conference would best assist in formulating a plan to help the child or young person, the chief executive may refer the case to a care and protection coordinator, who must convene a family group conference under section 20'.
100. We have quoted this section to show that there are options now to enable more flexible ways of responding to reports of concerns that do not meet the care and protection threshold. This is an enabling provision of assistance and advocacy support for tamariki and their whānau so that the stresses that may have brought them to the need for a Family Group Conference can be addressed at an earlier stage of their contact with Oranga Tamariki before concerns escalate.
101. However from what we have been told, this section of the Act has not been regularly utilised, and we think the enabling nature of the Act needs to be acknowledged and actively applied. We also believe that there is plenty of scope under the Oranga Tamariki Act to be innovative in enabling the community to participate and lead Family Group Conference processes, and to make decisions in terms of the support that could be provided to a whānau, and by whom. We intend to look further into this in our next phase of work, but consider there is already scope to utilise the enabling nature of the Act with regard to Family Group Conferences.

"FGC process has not been good. We are not being innovative or thinking outside the box. FGCs are not producing results in the way it was intended in the 1989 Act".

- Oranga Tamariki social worker



### 3. ORGANISATIONAL CULTURE AND THE FUTURE TOGETHER

102. The third part of our terms of reference asks for assurance and advice regarding the organisational culture of Oranga Tamariki. Specifically, you have asked us what assurance we can provide that the organisation practices and adheres to positive workplace standards, about the connection and alignment between leadership, management, and frontline staff, and that the organisation has robust procedures in place that relate to the confidence of staff that they can 'speak up' safely. Our terms of reference also ask whether there is a high level of understanding on the frontline and at regional level of the operating model, the vision of devolvement for the future, and as to what individual roles in achieving that vision are.

103. We are unable to provide a high level of assurance in response. While acknowledging there are pockets of behaviour and practice that reflect the intent of this section, this is not manifested consistently across the organisation. It is important to note that there are changes underway in the organisation that could positively impact on aspects of organisational culture and where we understand this is the case, we do not make specific recommendations but will monitor progress of that change as it evolves and embeds through the remainder of our term as your Advisory Board.

"The culture of the organisation is 'every-person-for-themselves'. There is very little mentoring and support. We get told to look something up on the practice centre when we don't know".

- Oranga Tamariki social worker

104. At the same time, there is also evidence that the Oranga Tamariki system continues to allow poor and even damaging behaviour and practice by some Oranga Tamariki employees. Moreover, we have heard that Oranga Tamariki does not always respond effectively or appropriately even when matters are raised through the appropriate channels.

105. Our overarching recommendation in response to the third term of reference is to **establish a process for a National Oranga Tamariki Governance Board** to be in place by late 2022 to oversee the diversity and depth of changes needed, and navigate through the challenges that Oranga Tamariki will inevitably face. This is so that investment is supported to stay the course to delivering the benefits from improved outcomes for tamariki and their whānau.

106. In this section, we set out our rationale for this recommendation and, where we think we can add specific value at this point in time, our more detailed recommendations to support this.

#### Establish a process to build strong governance for the system

107. To support long term transformation of outcomes for tamariki and their whānau, we believe a permanent Oranga Tamariki Governance Board should be established to support Oranga Tamariki's operational leadership, and to represent and advocate for community and Māori for the long-term.

108. We recommend that a design process begins in our next phase of work to establish an Oranga Tamariki Governance Board that has the authority, capacity, and capability to identify options to guide through the raft of changes needed in order to address disparity for Māori. This may require new options in terms of the form of the Governance Board than is provided for under existing instruments.
109. The Oranga Tamariki system needs to be able to reach a steady state, focused on progressing towards a shared vision rather than constantly having to look backwards and be distracted by change. Therefore, we propose that a timeframe of late 2022 is set by which to have a representative Oranga Tamariki Governance Board established and monitoring against an outcomes framework.
110. The Governance Board's role should include:
- a. Providing ongoing support and guidance to the Chief Executive of Oranga Tamariki as the responsibilities within that role are too significant to be born effectively by any one person alone.
  - b. Providing guidance and oversight that the broader care and protection and social services system are working effectively as a whole and are accountable for outcomes for tamariki Māori to hapū, iwi, and to communities. This includes (as our recommendation under our second term of reference sets out) clarifying the vision and purpose of Oranga Tamariki and who it is there primarily to serve, with a clear and implementable outcomes framework supporting traction.
  - c. Supporting continuous improvement in social work practice; this should include that regular reporting should be provided to the Governance Board on induction, training, and professional development of staff, and including succession planning and training for future supervisors and practice leaders.
  - d. Ensuring that regional governance is developed where it does not yet exist or strengthened where it does, so that there are regionally-relevant governance arrangements in place to lead for their region and meet the unique needs and aspirations of their own region, and that are commensurate with the needs and opportunities of the region and its communities.

### **The role of the broader government system must be clarified**

111. Once the purpose and functions of Oranga Tamariki are made significantly clearer, then the role of other government agencies that work alongside Oranga Tamariki can be agreed also. This will include clarifying the responsibilities of other agencies and where each agency leads, and where agencies support the lead of others. This needs to be at both the central and regional levels.
112. The Governance Board should have a role in monitoring the system's performance for tamariki and their whānau, not just that of Oranga Tamariki. Therefore, we recommend that the process for establishing the Oranga Tamariki Governance Board includes building in the necessary mandate to reach into and across agencies with a direct role in delivering the state's system for tamariki and whānau, to hold these agencies to account collectively with Oranga Tamariki for improved outcomes for tamariki and their whānau, as well as for their communities.

113. The Child and Youth Wellbeing Strategy already offers the authorising environment to build this from. A mechanism to specifically advance a shared accountability and monitoring framework across agencies sits under this, through the legislative requirement for an Oranga Tamariki Action Plan. This is to be led by Oranga Tamariki and developed with the commitment of the Ministries of Social Development, Education, Health, Justice, and New Zealand Police. Progress with the Oranga Tamariki Action Plan has been slow for a range of reasons, but we think the time is now for the opportunity that the Oranga Tamariki Action Plan represents to be taken up with full commitment. The six named agencies – and we suggest potentially also the Department of Corrections for the interface with Corrections’ youth units – should come together to agree the monitoring framework against which their commitment and shared resourcing can be regularly and jointly accounted for.
114. The advancement of the Oranga Tamariki Action Plan must proceed together with clarifying and advancing Oranga Tamariki’s own strategic direction and with the frameworks that will be needed to support this, and the regional plans outlined under our first recommendation. These layers need to be put together so that they complement each other and enable monitoring of progress towards improved outcomes for tamariki and their whānau at all levels (community, regional, cross agency and national). It is also important that the ideas identified in the regional plans, in the Oranga Tamariki framework and in the Oranga Tamariki Action Plan are matched with adequate and equitable resourcing, including from the relevant lead government agencies where it is not Oranga Tamariki.<sup>24</sup>
115. To be able to collectively assess at all levels what is working well, the sum of what individual actions and programmes deliver needs to be identifiable, as this will help identify gaps and prioritise response to these. A shared and layered approach to assessing progress to outcomes should enable this. This approach will also – as the Whānau Ora Monitoring framework has done and that we believe provides a very relevant model we would expect to draw on – enable transparency to the public of progress, real outcomes for tamariki and whānau, and value for the investment. Funding and resourcing to get underway with this should be identified and allocated as a priority.
116. If government agencies, Māori collectives, and communities can together be supported by the Governance Board to stay the course in preventing harm and reducing the need for state attention on tamariki and whānau, the benefits to the community and the nation in terms of cohesion, community wellbeing and resilience will be worth the investment. Above all, we do not see the alternative if our vision as a nation is not just a better state care and protection system, but less harm to tamariki and whānau, with healthier, thriving citizens, leaders and kaumātua of the future.

“Arguments with other government agencies to step up makes no scrap of difference. We try but it’s a waste of our time. Other agencies put a distance between Oranga Tamariki and their agency. Oranga Tamariki is left with the problem”.

– Oranga Tamariki social worker

24 This recommendation closely aligns and is designed to complement our recommendations for development of community-led regional plans, outlined in response to terms of reference 1 above.



## 4. EVIDENCE-BASED DECISION-MAKING

117. We observed that many of the challenges currently faced by Oranga Tamariki are due, in part, to an inability to take effective action due to a lack of timely and relevant information. The impact of this is all-encompassing, from monitoring of progress against overarching strategic objectives, to operational management in regions and sites, through to the planning work of Strategic Partners. This includes a lack of support for Oranga Tamariki's own sites, as well for partners, to utilise data to help with their planning and management.
118. Oranga Tamariki has received recommendations from preceding reviews that it needs to improve its information collection and sharing processes. We support all efforts Oranga Tamariki makes to improve its approach to evidence-based decision-making. In this section, we further discuss our recommendations for change and some of the specific challenges and opportunities that became apparent to us in our review.

### The organisation's performance monitoring framework should be enhanced and more strongly aligned with a well-defined strategy

119. Oranga Tamariki faces challenges in:
- a. Identifying when key organisational goals and objectives are not being met.
  - b. Taking appropriate corrective action when objectives are not being met. This is particularly pronounced at the national strategic level where aggregated summary information is needed for monitoring and decision-making, but it is also evident at regional and site level where timely and reliable information is just as critical for decision-making.
120. These challenges exist as a result of many intersecting factors, all of which were recognised by the Oranga Tamariki staff and leaders we engaged with. The first we identified was that Oranga Tamariki does not have a well-defined strategy or strategic framework, which leads to uncoordinated action. The Board notes and supports Oranga Tamariki's intention to develop a new strategic direction. We also note our recommendation for a strategy to partner with Māori and communities, and the development of a workforce strategy to support communities' work and to clarify Oranga Tamariki's workforce needs. Clarifying the purpose of Oranga Tamariki, which we have recommended above, should significantly assist in devising the future strategic direction also.
121. The second reason giving rise to these challenges, and closely related to the first, is that while Oranga Tamariki has an outcomes framework, it is not fully developed nor is it being actively implemented to support delivery. This compounds the difficulties of being able to monitor progress objectively and transparently against organisational goals, and hinders Oranga Tamariki's ability to determine whether or not outcomes are improving for tamariki.

"We have to report daily on KPIs to our supervisor. Supervisors are most concerned with us meeting the KPIs, because that is what gets seen as good performance both for individuals and as a site. Good social work is a by-product".

- Oranga Tamariki social worker



## Improvements should be made to the availability, relevance, and range of data used for decision-making

122. We found that across the organisation, the ability to make use of information was varied – either that the information was not timely, relevant, or fit for its required purpose, that it could not easily be accessed, or that that it simply did not exist in the first place. Examples of feedback about this are captured in *Snapshot of things people told the Oranga Tamariki Ministerial Advisory Board* and demonstrate these challenges not only exist within Oranga Tamariki, but also affect key stakeholders.
123. Quality information that is relevant and provides insights that lead to quality decisions are important at all levels of the organisation. This is a critical component of a strategic monitoring framework and to support operational monitoring and decision-making at regional and site level.
124. Effective monitoring of demand and workforce capacity and capability will become even more critical as the balance of focus for the organisation shifts. Oranga Tamariki will need to make decisions about shifting investment and resourcing based on information about where there is over/under utilisation of capacity in relation to changing demands in the population.
125. Oranga Tamariki would benefit from utilising more leading indicators of demand (by leading indicators we mean data to inform for strategic planning and where and when to invest in additional resourcing or where to shift resourcing to/from). The IDI-based<sup>25</sup> Children’s Wellbeing Model, managed by the Evidence Centre, could be used to support Oranga Tamariki to move from reactive to more proactive action and investment. This is a particularly salient point given the increasing focus on prevention.
126. Current reporting of caseload averages (number of tamariki per social worker), especially in care and protection, is a very limited indicator for workforce capacity. It overlooks factors such as complexity and workforce capability. This is particularly critical when the number of social workers has increased by over 30 per cent in the last four years, as noted previously in this report.
127. Over reliance on the average caseload indicator without any additional context risks creating an overly optimistic impression of progress. It seems promising that social worker caseloads have been reduced by a third since 2017, but questions about the impact of this decrease remain unanswered.

“The dissemination of information from National Office is messy. We feel like we get mixed messages. People don’t communicate well. The silo-ing of teams and business units comes from the top”.

– Oranga Tamariki site leader

25 IDI, or ‘integrated data infrastructure’, is a large research database with anonymous data about people and households. It links data from a wide range of sources including education, income, benefits, migration, justice, and health. Because of the wide range of linked data, it is a powerful decision-making tool.

128. Opportunities in relation to workload measurement and monitoring include:

- a. Looking more widely at workload instead of 'caseload'. Workload, being a broader more all-encompassing concept, might consider complexity of cases, time taken to carry out different tasks, and recognise the impact of non-casework related work.
- b. Integrating caseload monitoring with a suite of indicators about workforce capability, capacity, or the quality of frontline practice. This might blend a range of data from the HR Reporting and Analytics team and the Professional Development team or Quality Systems team in the Chief Social Worker's office.

129. Standing up of the 'Performance Hub' within the organisation is a promising move towards bringing greater coordination to the analysis and use of Oranga Tamariki's diverse array of information. The Performance Hub is a new multidisciplinary team that will help bring together data and other performance information from across the organisation. By doing so, it should drive greater integration across Oranga Tamariki's data and enable decision-making to be based on a more comprehensive and holistic understanding of operational trends and the needs of tamariki. In effect, this should lead to less reliance on single indicators and data points, and greater use of relevant sets of indicators for insights generation.

130. Opportunities exist where there are currently gaps in the availability of data. These include:

- a. Collection and recording of information relating to the needs of tamariki, including physical and intellectual disability. Strengthened focus here would enable social workers to be more responsive to the needs of tamariki and their whānau, and improve the organisations' understanding of the mix of needs and risks in the tamariki that are being worked with – enabling more effective decision-making at the strategic level around the type of investment that is needed in different areas.
- b. Lack of available data at regional and site levels to support decision-making. A particular focus on providing timely information to frontline staff to support decision-making would improve the quality and the consistency of decision-making.

### **The ongoing development of information infrastructure should be prioritised**

131. The negative impact of ageing information technology was a common theme in discussions with frontline staff and staff involved in analytical functions. Care and Protection, Youth Justice, Residential and Adoption Services (CYRAS), Oranga Tamariki's primary case management system, provides for all case recording. Overwhelmingly the feedback about CYRAS is that it is cumbersome and difficult to navigate and no longer supported, but instead drives practice while data outputs based on CYRAS add unnecessary complexity to reporting and analytical processes.

132. Ongoing dependency on CYRAS causes difficulty at the frontline in that it is no longer fit for purpose as a case management system. This also has implications for analytics, reporting, and accountability. This is consistently agreed across the organisation. The Board is supportive of work to develop a range of investment options to mitigate the risks associated with CYRAS, given the flow-on effect this has on frontline practice, monitoring and accountability.
133. In meeting with staff from the Oranga Tamariki analytics insights community, the Board heard about the on-going dependency on shared systems with the Ministry of Social Development and of the value of standing up systems that are tailored to Oranga Tamariki's specific operational and analytical requirements. It is important that this change programme of work removes the reliance on the Ministry of Social Development-provided Information Analysis Platform and replaces it with a modern fit for purpose data and analytics platform for Oranga Tamariki. This should move at pace given the widespread and flow-on impact this has on analytics, performance monitoring, the flow of critical information to all parts of the organisation, and to strategic partners.
134. Despite the challenges noted about CYRAS and the dependency on shared systems with the Ministry of Social Development, there is promising work underway to deliver data and information to frontline users. The Performance Management Framework project, based on recent work to embed Power BI<sup>26</sup> reporting in Oranga Tamariki's IT Infrastructure, will increase the availability of timely and meaningful information at site and regional level. The value of this project would be further enhanced if the tool were to be made available for national-level strategic decision-making and if further training support is given to Oranga Tamariki's frontline to help them to understand and use data for decision-making.
135. In addition to improving indicators of workforce capacity, there is also a need to strengthen monitoring of practice. Relevant data about decision-making behaviour and the quality of frontline practice should be analysed regularly for insights into practice trends, to identify effective practice and scale up from it, and to identify any practice that is not meeting standards or the underlying legislative intentions of the Oranga Tamariki Act. While there are parts of the organisation that are focused on the assurance and monitoring of practice, we suggest this function should be strengthened and made an integral component of internal monitoring processes.

"CYRAS drives practice. You need to keep closing screens otherwise it shuts down. It impacts practice because it is hard to find historic info unless you really know where to look for it. There are so many places to record things, and recording is inconsistent".

– Oranga Tamariki social worker

26 'Power BI' is an interactive reporting and analytics tool.



## Information sharing practices should be improved

136. There is much room for improvement in how Oranga Tamariki shares and receives information. This is at both the macro (for example strategic partners) and micro (for example requests for individual/personal files) levels. *Appendix 3: Operational demand in the care and protection system* sets out some of the views we heard in relation to Oranga Tamariki's information capture and sharing processes. These obligations are made under the Privacy Act 1993 and Section 66 of the Oranga Tamariki Act 1989.

137. Information sharing is important as it enables partners to make more informed strategic decisions. Improving how Oranga Tamariki receives and shares information with strategic partners will help everyone to understand what investment is needed and assist the development of regional plans and monitoring of their associated outcomes frameworks. It will also help shift from a reactive to a proactive and agile response to the needs of partners.

"The strategic partnership... isn't worth anything, nothing has changed. Lots of hurrah about it, but nothing since - [we] don't get the information, got the names but literally nothing else, including what their needs are".

- Representative from Oranga Tamariki s7AA strategic partner

138. Those with experience of the care and protection system told us they have a great deal of difficulty in obtaining even the most basic information from Oranga Tamariki files about themselves. This may partly be attributed to caution about the parameters of the Privacy Act 2020 with the organisation taking a particularly cautious approach to the sharing of information. This, we are told, can lead to over-redaction of relevant information when sharing with people who have been in Oranga Tamariki's care and who request the information the organisation holds about them.

139. We have no doubt that Oranga Tamariki is trying to strike the right balance to protect privacy, but, as we have outlined already, Oranga Tamariki would benefit from working to better understand the purposes of the Privacy Act which seems to be clear as primarily about providing a framework 'for protecting an individual's right to privacy of personal information, including the right of an individual to access their personal information, while recognising that other rights and interests may at times also need to be taken into account' (Section 3, Privacy Act 2020). Oranga Tamariki may take a cautious approach in sharing information because of sensitivity about data, but it is important to understand the intentions of the Privacy Act.

140. The Privacy Act and its 13 associated principles provide an enabling and flexible framework for sharing information with partners and other individuals - there would be benefit in Oranga Tamariki further exploring how to work within this flexibility to best meet the needs of strategic partners and individuals. To do this, Oranga Tamariki and the Office of the Privacy Commissioner could work together to ensure that Oranga Tamariki designs a future-proofed tikanga approach to sharing information with hapū, iwi, Māori collectives, and communities.



# CONSOLIDATED TABLE OF RECOMMENDATIONS

Table 2: Consolidated Table of Recommendations – Part 1

Recommendations – Part 1	
Collective Māori and community authority and responsibility must be strengthened and resourced to lead prevention of harm to tamariki and their whānau	
Part 1: Relationships with families, whānau, hapū and iwi	<p>The current assurance level we can provide at this stage is a mix of work in progress and identified as a gap.</p> <p>To improve this, we recommend:</p>
	<p><b>Recommendation 1:</b> That the Minister for Children and the Chief Executive of Oranga Tamariki, supported by the Board, undertake a programme of community engagement to facilitate planning as to how Māori collectives and communities will lead prevention of harm to tamariki and their whānau.</p>
	<p><b>Recommendation 2:</b> That planning for this engagement commences immediately, for engagement to begin no later than September 2021. This is so that existing community-led proposals for innovation and further opportunities to develop community plans, and to start to consolidate them into a regional view, can begin as quickly as possible.</p>
	<p><b>Recommendation 3:</b> That engagement includes identifying what regional governance arrangements exist or are needed to oversee a regional strategy to prevention, and what monitoring frameworks are needed to help ensure progress is maintained for the short through to long-terms.</p>
	<p><b>Recommendation 4:</b> That resourcing is ring-fenced to both a) support the planning of community-led solutions and regional plans, and b) support their implementation through to success, however long that takes.</p>
	<p><b>Recommendation 5:</b> That the voice and views of tamariki and rangatahi are put at the centre of all planning and delivery, at community, regional, and national levels.</p>
	<p><b>Recommendation 6:</b> That Oranga Tamariki builds its ability to be responsive to partners and to community requests for the information needed in order to know what support whānau require and what resourcing will be required to support provision of this for as long as success takes.</p>
	<p><b>Recommendation 7:</b> That engagement should include consideration of workforce needs for the community.</p>
	<p><b>Recommendation 8:</b> That engagement should also include whether a locally staffed helpline could help with navigating whānau in need of help to the right support, and thereby to de-escalate stresses than can lead to risk of harm to tamariki and whānau.</p>
	<p><b>Recommendation 9:</b> That a strategy to pro-actively partner with Māori is developed as a priority. This will support community planning and decision-making, where Oranga Tamariki regions will be responsible for responding, supporting, and enabling community solutions.</p>

Table 3: Consolidated Table of Recommendations – Part 2

Recommendations – Part 2	
The purpose of Oranga Tamariki must be clarified. This includes who Oranga Tamariki primarily exists to serve	
	<p>The current assurance level we can provide at this stage is identified as a gap.</p> <p>To improve this, we recommend that Oranga Tamariki:</p>
<b>Recommendation 10:</b>	Restore the influence of the Chief Social Worker so that the role is positioned as a core leadership function, central to all key decisions made by the agency, including the clarity of vision and purpose of the agency, and the orientation of frontline staff. This includes a deliberate focus on restoring the professional social work focus of Oranga Tamariki.
<b>Recommendation 11:</b>	<p>Develop a social work sector workforce development plan to clarify the role of Oranga Tamariki social workers and to:</p> <ol style="list-style-type: none"> <li>clarify the mix of the roles needed for each site in addition to social workers (including resources assistants, youth workers, and kairaranga), and whether these roles should be located directly within Oranga Tamariki or within the community;</li> <li>identify opportunities for co-location with partners of social work services; and,</li> <li>identify what core statutory social work functions should only be led by Oranga Tamariki and what the potential roles and functions of the broader social work sector workforce could be.</li> </ol>
<b>Recommendation 12:</b>	Improve the induction, training, and professional development of Oranga Tamariki staff; this should be especially prioritised for Oranga Tamariki sites and to support the more effective delivery of frontline social work.
<b>Recommendation 13:</b>	Ensure social work supervisors have the time and space to provide dedicated supervision and mentoring of social workers.
<b>Recommendation 14:</b>	Ensure there is a significant lift in the ongoing provision of training of the legislative requirements and parameters – both enabling and constraining – of the key Acts, in particular the Oranga Tamariki Act 1989.
<b>Recommendation 15:</b>	Begin work to improve the sophistication of workload management beyond that of the current averaging by number of tamariki per social worker, to an approach that recognises and accounts for the complexity of cases and enables an equitable workload allocation across social workers and sites, and across Oranga Tamariki functions.
<b>Recommendation 16:</b>	Review the purpose and functions of the National Contact Centre as a priority. This should also include consideration of whether and how Oranga Tamariki refers tamariki to non-statutory services after they have been assessed.
<b>Recommendation 17:</b>	Work to reclaim the intention behind the introduction of Family Group Conferences into the legislation in 1989, to empower whānau decision-making and to appreciate there is a different way of seeing, thinking, and being with whānau. This should include by utilising Section 18AAA of the Oranga Tamariki Act to provide the assistance that whānau need to be able themselves reduce risk of harm to their tamariki.
<b>Recommendation 18:</b>	Ensure that opportunities to provide advocacy support for whānau are identified through the development of workforce and partnering strategies.

Table 4: Consolidated Table of Recommendations – Part 3

Recommendations – Part 3	
A process to establish a national Oranga Tamariki Governance Board should be designed over the coming year, with the Oranga Tamariki Governance Board to be in place by the end of 2022	
Part 3: Organisational Culture	The current assurance level we can provide at this stage is identified as a gap. To improve this, we recommend:
	<b>Recommendation 19:</b> That, in alignment with our first recommendation, adequate and equitable investment in Māori collectives and communities is committed to enable Māori and communities to lead and deliver prevention of harm.
	<b>Recommendation 20:</b> That, together with our recommendations under our first and second terms of reference, a clear vision and purpose is established for Oranga Tamariki, so that all within the agency understand their role in achieving that vision, and how they contribute to it.
	<b>Recommendation 21:</b> That establishment of the Oranga Tamariki Governance Board should be accompanied by significantly strengthened internal audit and monitoring procedures that enable Oranga Tamariki to identify and enable action on emerging issues before they risk becoming systemic. (This should be accompanied by stronger external monitoring also, but we note the expansion of the Independent Children Monitor's role to undertake regular external monitoring of the Oranga Tamariki system and including residential care). Findings from both internal and external monitoring could be reported regularly to the Governance Board, to ensure any issues that are identified are resolved quickly.

Table 5: Consolidated Table of Recommendations – Part 4

Recommendations – Part 4	
Additional recommendations on data use to support effective decision-making	
Part 4: Enabling Options	<b>Recommendation 22:</b> The organisation's performance monitoring framework should be enhanced to be more strongly aligned with a well-defined organisational strategy and vision.
	<b>Recommendation 23:</b> Improvements should be made to the availability, relevance, and range of data used for decision-making.
	<b>Recommendation 24:</b> The ongoing development of information infrastructure should be prioritised.
	<b>Recommendation 25:</b> Information sharing should be improved, taking into account the purpose and enabling functions of the Privacy Act 2020. This could include Oranga Tamariki and the Office of the Privacy Commissioner working together to ensure that Oranga Tamariki designs a future-proofed tikanga approach to sharing information with hapū, iwi, Māori collectives, and communities.



# NEXT STEPS FOR THE BOARD

141. In this section we set out our next focus areas through the remainder of our term as your Advisory Board. We propose a two-track approach:

a. Our first track will be to monitor progress on the implementation of our recommendations, so that we are able to provide you with a higher level of assurance by the end of our term. As part of this, we specifically intend to support your engagement with Māori and communities to facilitate regional planning, we will be actively monitoring progress with our social work recommendations, and should you accept our recommendations for establishment of a national Oranga Tamariki Governance Board, we will work with Oranga Tamariki to support the process for establishment of that by the end of 2022.

To complement this work, we will help guide Oranga Tamariki to shift to fit for purpose data capture and use. This will include working with the Office of the Privacy Commissioner and others to support Oranga Tamariki to consider how privacy needs can be met while enabling communities to access the data they need to design their response and understand the investment needed, and that the system measures the right changes.

b. In addition to providing ongoing guidance to Oranga Tamariki, our second track will, with your agreement, include to expand review of care, including care residences; the role and function of the National Contact Centre; youth justice outcomes; and to consider the legislative parameters that Oranga Tamariki operates within, together with other government agencies. We also intend to take a close look at opportunities to improve outcomes for tamariki with disability challenges where they are not currently well-supported by the system.

142. Our hope and expectation is to work closely in partnership with the Chief Executive of Oranga Tamariki and the Oranga Tamariki leadership team throughout our term. Collaboration will support faster shifts in practice, will help develop an effective social work sector strategy, and will help ensure a clear and coordinated strategy is in place to partner with and shift investment to Māori and communities.

143. In all our work, we will report regularly to you, and welcome your further instructions as to how we can assist you in this important work. We have already noted the words of Tā James Henare in our foreword, “Kua tawhiti kē tō haerenga mai, kia kore e haere tonu, he nui rawa ō mahi, he kore e mahi tonu” – “We have come too far to not go further, we have done too much not to do more”. There is much work to be done, and many more conversations to be had. We will proceed with the next aspects of our work plan with urgency.



# APPENDIX 1:

## ORANGA TAMARIKI MINISTERIAL ADVISORY BOARD

### TERMS OF REFERENCE

#### BACKGROUND

Oranga Tamariki was established 1 April 2017 in recognition that the system around child protection needed to change. It was an acknowledgement that the Government needed to devolve resourcing and responsibilities, and to work in partnership with Māori and community to strengthen families and whānau to protect tamariki from harm. The safety of our tamariki and rangatahi must always be our first concern but their hauora cannot be achieved if across Government we do not also support their families and whānau to be their best.

Three years on from its establishment, Oranga Tamariki has taken significant steps. These have included new and improved relationships with many iwi, Māori organisations and Not for Profit partners. These can be seen in the formation of strategic partnerships with iwi, Memorandums of Understanding with Māori Organisations such as the Māori Council and the Māori Women's Welfare League, and greater stability of contracting with NGOs. Transition Homes and prototypes of Intensive Intervention and Early Intervention to strengthen families and minimise the need for tamariki to come into statutory care have also been created.

While there have been a number of high profile reviews of Oranga Tamariki by the Whānau Ora Commissioning Agencies, the Children's Commissioner and the Ombudsman, they are predominantly retrospective, with many of the cases referred to having occurred prior to the establishment of the new Oranga Tamariki operating model, funded through Budget 2019. They also cover periods of time before the Government had agreed to invest in the implementation and embedding of the changes required to deliver on the vision of that model (1 July 2019).

More than a year has passed since that investment. It is timely to do a stocktake on the pace and implementation of change, to check that we are on the path of devolvement as envisioned, and that we are shifting investment from crisis intervention to prevention, early intervention, and intensive intervention.

Allegations have been made about the organisation's professional social work practice and culture. Public trust and confidence in Oranga Tamariki are crucial to the agency's ability to meet its core responsibilities and care for the tamariki and rangatahi it comes into contact with. It is vital that if there are concerns for the safety or wellbeing of a child or young person that people have no hesitation in raising their concerns with the agency tasked to respond.

The Minister for Children takes these allegations seriously and wishes to receive advice and assurance regarding Oranga Tamariki's current operations and performance along with certainty that the future direction is understood and becoming entrenched.

Formal reporting and data reflect the growing number of new services and support for tamariki and rangatahi in or transitioning from care, and the kin or non-kin carers who give homes to these tamariki and rangatahi.

Importantly, the focus is shifting from those already in care to be on more intensive and early interventions which work to keep tamariki safe in their own homes. These services are increasingly being delivered by or in partnership with trusted providers, including Māori and iwi, who are close to the families that need this support.

What is also needed is “soft data” and real time information around the way the frontline and regional offices are embedding change, how staff are being supported through this change, and to understand the potential impacts of these changes on tamariki and rangatahi while also enhancing social work practices.

## MINISTERIAL ADVISORY BOARD

The Ministerial Advisory Board (the Board) will provide advice and assurance to the Minister for Children across three key areas of Oranga Tamariki:

Relationships with families, whānau, hapū, iwi, and Māori including but not limited to:

- If and how the organisation has improved its capability to engage with Māori, including its current ways of working with Māori and/or how it is devolving decision making and actions to Māori for Māori.
- If and how there has been an improvement in the understanding and incorporation of te ao Māori into its work, with a focus on the front line.
- If and how the aims and aspirations of local Māori and local communities are acknowledged and what actions are taken at local and regional levels to partner to deliver on these aspirations.
- What opportunities are there to enhance the experience and value of Māori social workers in the organisation, and how could these be further enhanced.

Professional social work practices including but not limited to:

- Assurance that the organisation is exemplifying quality social work practices that reflect the standards expected by and of the profession in 2020.
- How is the organisation in ensuring professional opinion in statutory decision making is respected.
- If and how practices are inclusive and respectful of professional opinion and advice, including when opinions differ.
- Oranga Tamariki’s commitment to training staff from onboarding through to professional development.
- Assurance that a mindset of continuous improvement exists which involves identifying what is working and what is not. That functions exists to allow these learnings to be fed back in to the organisation in order to strengthen it.
- Assurance that continuous improvement includes professional development and appropriate training of staff.

Organisational culture including but not limited to:

- Assurance that the whole organisation practices and adheres to the Positive Workplace Behaviours Model Standards.
- Improvements required to strengthen the connection and alignment between leadership, management and front-line staff.
- Assurance that the organisation has robust procedures in place that relate to the confidence of staff that they can “speak up” safely.
- The level of understanding on the front line and at regional level of the operating model, the vision of devolvement for the future, and their individual roles in achieving that vision.

## CONTESTABILITY OF ADVICE

Both the Board and Oranga Tamariki will provide advice to the Minister for Children on Oranga Tamariki’s work programme in good faith, and with regards to the interests of the other. Where appropriate, the Board and Oranga Tamariki will provide the other with copies of relevant advice provided to the Minister.

## OPERATION OF THE MINISTERIAL ADVISORY BOARD

The Minister will appoint Board members and will designate one member to be the Chair and another member to be the Deputy Chair. The Chair will meet with the Minister for Children to report the advice of the Ministerial Advisory Board. The Chair will facilitate the relationship between the Board and Oranga Tamariki (via the Secretariat).

When appointing members, the Minister will take into account their seniority, experience and standing in New Zealand. They will be paid in accordance with the Cabinet Fees Framework.

Oranga Tamariki will provide Secretariat support to the Board.

In addition to the Minister for Children and Oranga Tamariki, the Board will have relationships with a range of agencies and non-government organisations. Unless otherwise agreed with Oranga Tamariki, the Board’s contact with these groups will be facilitated by Oranga Tamariki and the Minister respectively.

The Board may request information and insights from central Government (eg Public Service), children’s services providers (eg NGOs), and monitoring bodies (Independent Children’s Monitor, the Ombudsman, the Children’s Commissioner). The requests should be managed via the Secretariat and Oranga Tamariki.

The Board may request information from Māori and Iwi. It is recommended that the insights and information obtained is shared with the Secretariat and Oranga Tamariki in good faith.



The Board will meet regularly. Members may be invited by the Minister for Children to attend ad hoc meetings, workshops or focus groups consistent with the mandate and objectives of the Board.

The Board will commence on 1 February 2021. The Minister may revoke the appointment of the members or disestablish the Board at any time.

## CONFLICTS OF INTEREST

Members will disclose all actual, potential or perceived conflicts of interest as they relate to these Terms of Reference to the Minister for Children.

## MEDIA

Members must refrain from representing the Board or commenting on the advice of the Board to the media.

The Chair may seek agreement from the Minister for Children for the Board to release media statements on any matter related to these Terms of Reference.

## CONFIDENTIALITY

For the Board to operate effectively, members must maintain the confidence of the Board, including maintaining confidentiality of matters discussed at meetings, and any information or documents provided to the Board. These confidentiality requirements do not apply to material that is already in the public domain.

Where the Board needs to release material or discuss the workings or advice of the Board to facilitate engagement with iwi and stakeholders, the Chair will seek permission from the Minister for Children.

All information provided to the Board will be treated as official information under the Official Information Act 1982 and, subject to the requirements of that Act, may be released to the public if there are no grounds for withholding it.

# APPENDIX 2:

UPDATE TO THE MINISTER FOR CHILDREN, 30 APRIL 2021

The Honourable Kelvin Davis  
Minister for Children  
Parliament Buildings  
Wellington

30 April 2021

Tēnā koe e te Minita

## Update on the work to date of the Oranga Tamariki Ministerial Advisory Board

You have appointed us, the Oranga Tamariki Ministerial Advisory Board (the Board), to conduct a stocktake of progress underway through Oranga Tamariki / the Ministry for Children, to check that the agency is on the path to devolvement, with investment shifting from crisis intervention to prevention. This is in order to provide you with assurance and advice that the current operations and performance of the Ministry are effective in strengthening families and whānau in order to protect tamariki from harm, and that the future direction of Oranga Tamariki / the Ministry for Children fulfils the expectations of yourself as Minister, is clearly and simply understood by all parties, and that the direction and operating model is being implemented.

Specifically, you have asked for an initial report by 30 June this year. As we work to prepare that, this letter provides an update of what we have been hearing through our engagement to date. This has included over 50 meetings with internal and external stakeholders as well as a review of dozens of reports, thousands of pages of documents, and with a significant analysis of data underway. In particular, considering the focus in the terms of reference and the known and persistent disparity experienced by tamariki Māori and their whānau, we have been prioritising engagement with Māori communities, with around 30 hui with iwi, trusts, hapū, rūnanga, collectives and individuals held so far in our term and more planned for the coming weeks.

It is well known that the care and protection system has been reviewed and rereviewed, with many comprehensive reports and strategies completed across the last four decades. This goes back to Pūao Te Ata Tū and even earlier. While some of these reviews were well-received within their political context and some led to change in the short term, that has not been enough to maintain progress, especially in addressing the stark disparity in the care and protection system for Māori. Each time the system has defaulted back to the prevailing approach of managing immediate crisis but not getting ahead of the challenges facing tamariki and whānau, thereby letting the opportunity to focus on the prevention that could break the cycle slip by for further generations.

The establishment of Oranga Tamariki / the Ministry for Children was another attempt to break this inertia, and while we are early in our work, there are signs that Oranga Tamariki / the Ministry for Children is achieving some success in some areas. At the same time, there is recognition much more needs to be done whereby we engender a system that focuses on partnership, inclusion in decision making and investing in capacity and capability building. However, previous experience suggests that political and economic cycles can undo departmental reform quickly. Therefore we are mindful that not only do we need to be able to assure you that the right capabilities and capacities are in place within Oranga Tamariki / the Ministry for Children to deliver best practice and internationally recognised workforce capability and to enable communities to lead improved outcomes for their tamariki and their whānau, as well as reimagine what social work looks like for their whānau and community, but that any progress being made is able to be sustained for the long term, to support better lives for future generations. Sustaining change needs to be committed to not just by Oranga Tamariki / the Ministry for Children, as the agency responsible for care and protection for children, but across government and in partnership with iwi, collectives and communities, or else it will be in grave risk of defaulting back once again, despite whatever short-term progress has been made.

One measure of our collective success across the system will be that there is not another wholesale review of the underpinnings of the care and protection system needed within the next decade. The system needs to be able to get to its new steady state. This will be achieved in part because communities are owning more and more of the answers and are resourced to deliver them, in part because Oranga Tamariki / the Ministry for Children will be better placed to deliver a high level of excellence in social work practice, and in part due to regular monitoring of not only Oranga Tamariki / the Ministry for Children, but of the system as a whole and how the government is working together and with partners to achieve shared outcomes. This will require that there are specific and agreed outcomes that all are working towards, together as a system and with each owning their responsibilities within their portfolios. It is not yet apparent that this is the case.

Through regular and transparent monitoring, we can collectively identify what is working well and build from it. We will also be able to identify what the gaps or problems are that need to be addressed without going back to the drawing board and risking all momentum and the default to inertia yet again. New Zealand cannot afford for today's, nor tomorrow's, young – who after-all are also our future parents and elders – to be hurt or held back. Harm to children, whether by whānau/family, community or the state benefits no-one, of course least of all the children or their whānau impacted by it. One of the measures that we collectively strive for should be that harm to children is reducing; the picture emerging from the data is not yet clear on this. And we must never forget that the data represents not just numbers but is the (at least partial) story of some of society's most at-risk children and adults who are not just statistics but reflect very real lives and experiences.

The resounding message we are hearing from across the community, providers, Māori, iwi and hapū is that the system is hard to navigate and to understand, and is without a clear path to reunification of children with parents or whānau. This is a cause for concern because of the often inconsistent way policies and procedures may be implemented from one region to another and from one site to another. This



also plays into the different leadership, management and relationships that then extend into the provider network. Further work is being done on this front, and we will report on it more detail in our 30 June report.

A second resounding message we are hearing is that Oranga Tamariki / the Ministry for Children is all too often left to respond to needs of children and whānau on its own. It takes a village to raise a child and to best support whānau in times of need; the often complex matrix and silos of public sector organisations is not conducive to supporting whānau to achieve lasting positive outcomes. Leaving action to Oranga Tamariki / the Ministry for Children alone is not only too late for opportunities to prevent initial harm to some children, but suggests also that the system is designed to deal with problems, not prevent them. There is a lack of understanding across the system as to the responsibilities of the care and protection system versus those of other agencies, for example in addressing drug and alcohol dependence or family violence. This means there is a risk that, even if Oranga Tamariki / the Ministry for Children was to be delivering the most effective care and protection system, there could still be a significant gap in provision of the support needed by some tamariki and their whānau from other parts of the system. We note this now, as any report on Oranga Tamariki / the Ministry for Children must consider the whole system, and be able to make recommendations that resonate across it. We understand the importance of the Public Sector reforms in this regard, and will be watching progress with their implementation closely.

## OUR TERMS OF REFERENCE

In our terms of reference, you identified three key focus areas for the Board. These are:

1. Relationships with families, whānau, hapū, iwi and Māori
2. Professional social work practices
3. Organisational culture

The terms of reference also stress that, 'the safety of our tamariki and rangatahi must always be our first concern but their hauora cannot be achieved if across Government we do not also support their families and whānau to be their best'. We have been collating a mix of quantitative and qualitative data and information to understand how, over the next two years of our appointment, we can comprehensively address the three focus areas and in doing so, support families and whānau to be their best.

### Quantitative information – we're underway with analysis

We are receiving a large volume of quantitative material from Oranga Tamariki / the Ministry for Children, in response to tailored requests we have made of them. This includes material on the National Contact Centre; Reports of Concern; Tamariki in the Care and Protection Custody of the Chief Executive; Youth Justice related data; Caseloads; and Workforce data.

The data is starting to build a picture of where and how much progress has been made by Oranga Tamariki / the Ministry for Children, and where further progress is most urgently needed still. However more analysis is required before we will be able to provide the necessary levels of assurance. We will be in a position to provide this for some aspects for our initial 30 June report, while over the rest of our two-year term, we will continue to scrutinise the data and provide further assurance to you. If or where we are not able to, we will recommend a path for Oranga Tamariki / the Ministry for Children to work along to reach a professional standard of assurance. As we move forward from 1 July 2021 we will also be looking into Youth Justice; interactions between the Family Court and Oranga Tamariki / the Ministry for Children; the needs of tamariki/children and rangatahi and their families managing disability and learning difficulties; and opportunities to strengthen outcomes for non-Māori children and families/whānau. This will likely lead to a need to clarify who Oranga Tamariki is for – which tamariki/children and which families/ whānau, and to deliver what aspects of their needs?

### **Qualitative information – clear themes already apparent from engagement**

Our first focus has been to meet with iwi, trusts, Māori collectives, community groups and individuals who have been working to achieve better outcomes for whānau and tamariki in their communities, often for years. Many have worked across various iterations of the Crown's care and protection system. They have valuable and often traumatic experience of the challenges of the system and of the daily struggles that many whānau face, as well as the obstacles they feel are put in their way – sometimes they feel purposefully – when they are trying to help whānau.

## **THEMES FROM THE COMMUNITIES WE HAVE MET WITH ARE CLEAR...**

Some of the clear and consistent themes we are hearing include:

### **The importance of providing holistic support to whanau**

- All tamariki and rangatahi want to be in loving and stable whānau and homes; all desire to be able to return to their whānau as soon as possible if they do need to be removed due to immediate safety concerns.
- Similarly, no family or whānau wants to have their children removed from them. Sometimes temporary removal is necessary as some whānau are operating under great stress, but even if it is agreed this can be needed to manage the immediate risks, there must be a pathway established to connect back with whānau.
- Some whānau need a lot more help earlier than the system provides now; this may be in learning parenting skills or it could be with managing financial stress through unstable employment and income fluctuations, or housing, health, or developmental or learning challenges that are not being addressed.
- Some – in some communities, many - whānau are dealing with many stress points; this is increasing risks of harm within some whānau, reducing their

sense of resilience and independence, and fuelling a sense of hopelessness for themselves and for the future of their whānau.

- Some whānau don't trust the system enough to ask for the help that is available. This reinforces the system's inability to prevent harm.
- If tamariki need to be removed, their whānau need help to heal while their tamariki are cared for within the wider whānau and whakapapa network or community.

### Communities should lead in the prevention space

- Reports of Concern that are assessed as 'NFA' (No Further Action required) offer an opportunity to get earlier support to whānau in stress but we are hearing that the system doesn't do this in any concerted way. Often the first real intervention that the community sees is when a case is assessed as 'FAR' (Further Action Required) and this can include removal of a child being the first action that is visible at the community level by a government agency. And then, we are told, whānau are not supported to be ready to take their child or children back - meaning a missed opportunity to reconnect and to start the healing process for both the whānau and the child.
- There is no strong government presence working in the prevention space; NGOs and community providers, and particularly Whānau Ora providers, are often the only avenues for preventing harm through working to heal whānau.
- We hear that Whānau Ora is making a difference, but there is also confusion as to what Whānau Ora is, how different communities experience it, and how government supports it and if it will continue to do so.
- Some whānau have made remarkable progress in turning their lives around, and are ready to have their children returned to them; there can be challenges even so as they feel the goal posts for what they have to do to get their children back keep being moved; also policies aimed at supporting tamariki to have stability in their placements mean that it can become harder and harder to have children returned to their whānau.

### But the community feels unsupported and not trusted to lead prevention

- Community groups and iwi want to know about their families that need help; they want to be alerted when a Report of Concern is made about one of their tamariki, so they can get preventative support in before the situation escalates.
- Some have said that it is the 'nans, aunties and uncles' role and right to know what is going on in their extended whānau, and that there are many who could help if they were valued and resourced appropriately. Their skills and time are necessary to help to rebuild the village, and enable transmission of knowledge of culture and of roles and responsibilities within whānau. Valuing and resourcing these important roles would not only support sustainability, but also to recognise that many older Māori are living in precarious housing and with stress from limited income already all too apparent.



- At the same time, it is recognised that there are challenges in sharing sensitive information and respecting privacy - but also that the conditions for family harm thrive in secret and in isolation. There is a clear call for innovation to be applied in working to find solutions to this challenge, so that communities can support their whānau at the earliest possible opportunity.

### **There is hope, and also new emerging concerns**

- Some whānau have made remarkable progress in turning a potentially bad situation around, through the right support being provided when needed, and that wellbeing for tamariki for these whānau has increased measurably.
- There are jobs available currently, even in places of historically low economic growth and opportunity. This is attributed to both the impact of the regional investment of government, and to the return of New Zealanders from overseas due to COVID. This is described as a potential game changer and a once in a generation opportunity to create stronger and more robust links to steady incomes. This would require a concerted effort across the social and economic sectors of government, but communities say they can't see that coordination.
- At the same time, this growth is fuelling a housing shortage in places that have had affordable housing as one of their traditional advantages over the larger urban areas. Housing is becoming the dominant stress for many communities we spoke with – there are concerns this could cause family violence and risks of harm to children to rise.
- Communities are voicing strong concern at the intrusions of international gangs, who are not interested in whakapapa connections or their local community, and of the rise of meth and other manufactured drugs, and are concerned that their rangatahi are at greater risk as a result; they want to know what the government's plan to tackle this is.

### **Relationship between Oranga Tamariki / the Ministry for Children, the courts and the justice system is confusing and disempowering**

- Young people in the Youth Justice system wish they had had more support to be responsible whānau members when they were younger; many of them say they were not at school when they were supposed to be, and didn't have mentors or know what their path forward was. They didn't know their role in the family, were not mature enough to handle the situations they were exposed to, and were not ready to be responsible.
- Often, they told us, their parents tried their best but were working long hours and multiple jobs to feed the family and were not present to guide them. They want to be mentored, guided and supported on release to utilise the new skills and lessons they are gaining - and they want support to work, to follow a positive pathway forward, and to be good parents and siblings and members of their extended whānau themselves.
- Family Group Conferences (FGCs) feel predetermined, overly legalistic and hostile to whānau. We have heard time and again that they are often difficult to find out accurate information about, and to get to. Even if these issues are

surmounted, then the process can be ruthlessly efficient, disempowering and silencing even those who know their rights to speak up for the child. Many whānau say they need advocacy as the process can wear them down to giving up trying. And they say that as they progress through the system to Family Court processes, this feeling of disempowerment only increases, making them feel judged, impotent and angry.

### **Oranga Tamariki / the Ministry for Children is inconsistent and not supported enough by other agencies**

- Some sites and Oranga Tamariki / the Ministry for Children staff are effective and understand the needs of the whānau, while others are difficult to work with or even to talk to and are viewed by Māori communities as biased and even explicitly racist. Inconsistency is frustrating for those trying to work in partnership with Oranga Tamariki / the Ministry for Children at the flax roots.
- We heard repeatedly that sometimes the simple things could be fixed and would stop a whānau from spiralling into coming to the attention of Oranga Tamariki / the Ministry for Children - particularly having safe and reliable childcare, and even things as basic as having a fence around their property so their children can play safely outside. Rangatahi would benefit from being provided with activities, sports and mentoring to guide them.
- The government system defers response on a range of challenges tamariki and whānau are facing to Oranga Tamariki / the Ministry for Children rather than proactively stepping in to provide the support their agency might be logically-placed to provide, eg building a fence at a Kainga Ora property, providing support for mental well-being, or mentoring to connect with jobs.
- In essence we are hearing that Oranga Tamariki / the Ministry for Children is the default government agency for a broad range of issues families are struggling with in New Zealand, and that too much of the load is being left to Oranga Tamariki / the Ministry for Children to carry. This raises questions of the scope of Oranga Tamariki / the Ministry for Children and who it is it for, and what are other agencies responsibilities to families and whānau? Is it clear who are the lead agencies with responsibilities for families/ whānau in New Zealand?

### **Treaty partnership needed to share accountability, and resourcing to enable that**

- Some have said that they want accountability passed to them to work with whānau. They note that Oranga Tamariki / the Ministry for Children says that accountability sits with the Chief Executive under the legislation, but that the reality is that they feel the practical fall out already sits on them, and that this should be recognised and they should be supported to deal with it.
- At the same time, others say they do not want the legal accountability for all aspects of the care and protection system and that that is the role of the state. However they believe the state should be clearer that their role is to facilitate their lead in the prevention space, while the state system is improved to be more effective at the statutory end of care.

- More broadly, we have been hearing a very consistent theme that the challenge in improving outcomes for tamariki and their whānau is for the whole Crown to own as the Treaty partner. Iwi and Māori collectives say they struggle to see the face of the Crown and know Oranga Tamariki / the Ministry for Children is only one part of the Crown as a whole; many say they want partnerships that reflect collective responsibility not portfolio defaults.

Members of the Board have also been visiting a large number of Oranga Tamariki / the Ministry for Children regional and site offices. These visits will continue throughout May to early June, to inform what we can assure you on in our June report. However we feel compelled to note now that it is already clear to us that care and protection front-line social workers are stretched to breaking point, many on the verge of burn-out, with training and recruitment and retention significant issues.

There is wide variation in the number of tamariki on social worker caseloads, with some staff holding very high caseloads, and some supervisors having to carry active workloads. Social workers do not all feel that Oranga Tamariki / the Ministry for Children always provides them with the necessary support or trusts and enables them to work with community, or empowers them to be professional for their communities' needs. In addition, there is pressure on the external social work force, with pay inequity issues in particular in urgent need of being addressed as we are told repeatedly that Oranga Tamariki / the Ministry for Children is depleting staff numbers from community providers who can't match Oranga Tamariki / the Ministry for Children pay scales. We note this now as prioritising addressing these workforce challenges should be one of the focuses of the operational changes we understand are underway in Oranga Tamariki / the Ministry for Children.

## FOCUS OF OUR FIRST REPORT, DUE 30 JUNE

We want our 30 June report (and all subsequent reports to you) to add specific and measurable value. Our intention with our 30 June report is focussed on the first elements of the terms of reference looking at the care and protection system more generally, investment and resourcing for iwi, Māori, hapū providers and initial elements of the workforce. This means our initial report will have a strong focus on the first and second of our terms of reference. It will aim to reflect the voices and words of our whānau – those who experience the range of intended and unintended effects of the system, who live with the pain and stress of family harm and sometimes the impact and damage of having their children removed from their care, and who have lost a sense of hope that they will be supported to heal so that they can be the home their children need.

We will seek also to provide an outline on what we have found by June in terms of the third term of reference, focused on organisational culture. We are mindful however that the agency will potentially be going through significant change over the coming months. It is likely, therefore, that a focus of our work after June will include deeper consideration of how the operational changes are embedding.

Noting that the Waitangi Tribunal has this week released its report into aspects of the care and protection system, we will be working over the coming weeks to



analyse the Tribunal's findings and recommendations. Where appropriate, we will look to align practical recommendations across this and all previous reviews, back to Pūao te Ata Tū, so that you have a consolidated and consistent set of recommendations for change.

### Regular reporting periods

The Board proposes to report to you regularly (at least six-monthly), following the release of the first report on 30 June. This gives the Board the opportunity to review progress on its initial recommendations and to look further into specific matters or themes such as Youth Justice, the Family Court system or adoptions, all of which have been identified as areas where further work is needed throughout the Board's engagements with the community. In addition we will continue our assurance work on procurement and workforce capacity and capability – ensuring resources are being applied to those in need, both individuals and organisations.

Following our June report, we intend to maintain our focus on the needs and calls of Māori and on social work practice. In addition to this, we will lift our sights more broadly to consider the relationships between Oranga Tamariki / the Ministry for Children and the Family Court, and with the Ministry of Justice and the courts.

Our post June focus will include exploring experiences and opportunities for the system to be responsive to the needs of all tamariki, from all ethnicities. We will continue to engage with as many layers of communities across New Zealand as we can reach throughout our two-year term.

Meanwhile we will be continuing to monitor throughout our term that organisational changes are settling in as intended at Oranga Tamariki / the Ministry for Children. We will also continue to look across the government system to build recommendations that are implementable now and can be sustained to help ensure longer term improvements in outcomes for tamariki and their whānau.

Minister, we have heard the call of yourself and the people to ensure that we do everything we can to enable and empower tamariki, whānau and the community. With this letter, I can assure you we continue to work at pace to deliver on your expectations of and for the Board.

Heoi anō mō tēnei wā

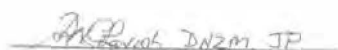
### Oranga Tamariki Ministerial Advisory Board



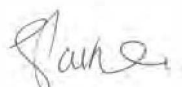
Matthew Tukaki, Chair

*signature sighted but unavailable  
at time of submission*

Tā Mark Solomon



Dame Rangimarie Naida Glavish



Shannon Pakura

# APPENDIX 3:

## OPERATIONAL DEMAND IN THE CARE AND PROTECTION SYSTEM

This is an overview of operational demand in the care and protection system. The purpose of this section is to provide a focused set of indicators that relate to monitoring of progress against the recommendations that have been made in this report.

Over time, these indicators will be used to track how demand is changing, with a specific focus on prevention and how social work capacity and capability are improving in relation to the implementation of the Boards recommendations. The preliminary analyses presented here are mainly descriptive in nature, and the Board will add more indicators and insights over time. Workforce capacity will be included in future, but for this report, has been explored in the section titled 'High-level analysis of social worker capacity in care and protection'.

This suite of data will need to increasingly bring in information from strategic partners. If demand for Oranga Tamariki intervention reduces over time, this would need to be matched by evidence that the needs of tamariki and whānau are being addressed beyond the organisation. This means having monitoring that follows tamariki, regardless of the service or severity of need; recognition that for the majority of tamariki, when Oranga Tamariki intervention is needed, involvement should be limited to a small part of their journey.

Note that since this section is based on Oranga Tamariki data from CYRAS, there is a large degree of overlap with Oranga Tamariki reporting. However, the focus of this information is different – it is about tracking against recommendations made in this report and not about managing operations on a daily basis.

### NATIONAL CONTACT CENTRE AND REPORTS OF CONCERN

This is the first point of contact where Oranga Tamariki decides if further assessment and subsequent intervention is needed. It is otherwise referred to as the 'initial assessment' phase.

## National Contact Centre

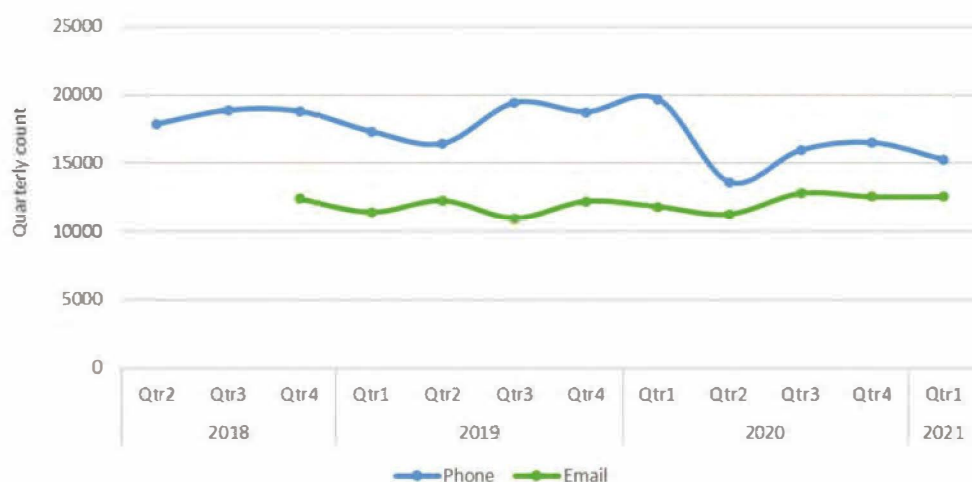
In the 12 months from 1 April 2020 to 31 March 2021, Intake Social Workers at the National Contact Centre (NCC) assessed 61,400 phone calls<sup>1</sup> and 49,300 emails. Of these phone calls and emails, approximately 33,700 resulted in Reports of Concern referred to site for further evaluation (about 10,300 phone calls and 23,400 emails).<sup>2</sup>

While the number of phone calls assessed by Intake Social Workers appears to be trending down (Figure A3.1), COVID lockdown caused this trend to be interrupted, as it did for many trends. Reporting of email volumes started in late 2018.

## Reports of concern

Oranga Tamariki received 77,500<sup>3</sup> Reports of Concern (RoCs) between 1 April 2020 and 31 March 2021. Most of these were received at NCC and referred to site (69,100 or 89%) and 8,400 (11%) were received at site. Notifiers from government agencies and services accounted for over two thirds of all RoCs (Figure A3.2). The majority of RoCs from government came from the police, health, and education notifiers.

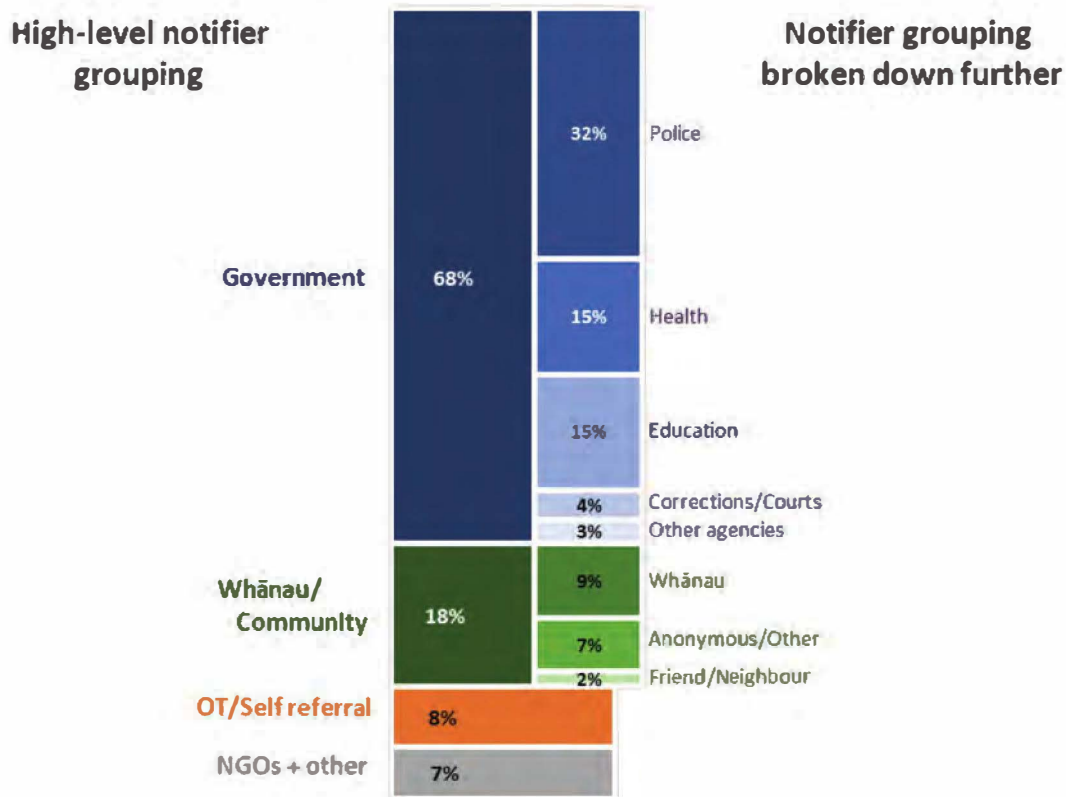
**Figure A3.1 Number of phone calls and emails assessed at National Contact Centre<sup>4</sup>**



- 1 From a total of 231,400 phone calls answered by Customer Service Representatives, most of which did not relate to concerns about tamariki. Most of these were redirected with the caller requesting to speak with a specific person or site directly.
- 2 Currently, there is no direct linking between NCC volume and CYRAS data, but it is possible to track the overall flow of volumes at a relatively simplistic level. NCC volumes count the number phone calls and emails whereas CYRAS-based Reports of Concern count the number of tamariki. Phone calls and emails are often about sibling groups (national average of approximately two tamariki per call/email). This is how the 33,700 phone calls or emails converts to the 69,100 Reports of Concern about tamariki that is stated in the next section.
- 3 For 56,600 individual tamariki (some tamariki had more than one), or about 4.9% of the New Zealand population aged 0-17.
- 4 Calendar year is used in this graph and the rest of the graphs in this section (as opposed to financial year).

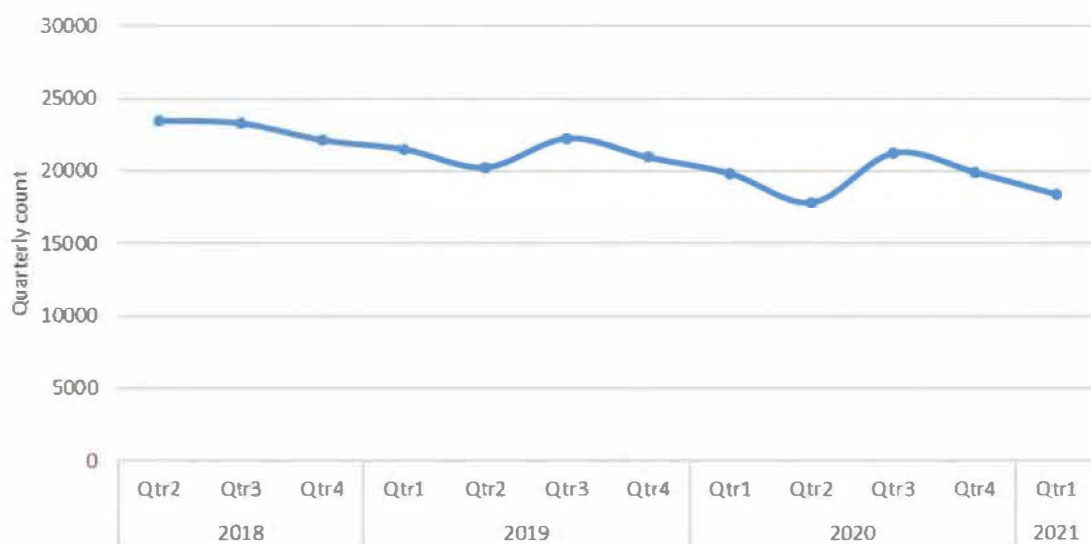


Figure A3.2 Notifiers - sources of Reports of Concern (1 April 2020 to 31 March 2021)<sup>5</sup>

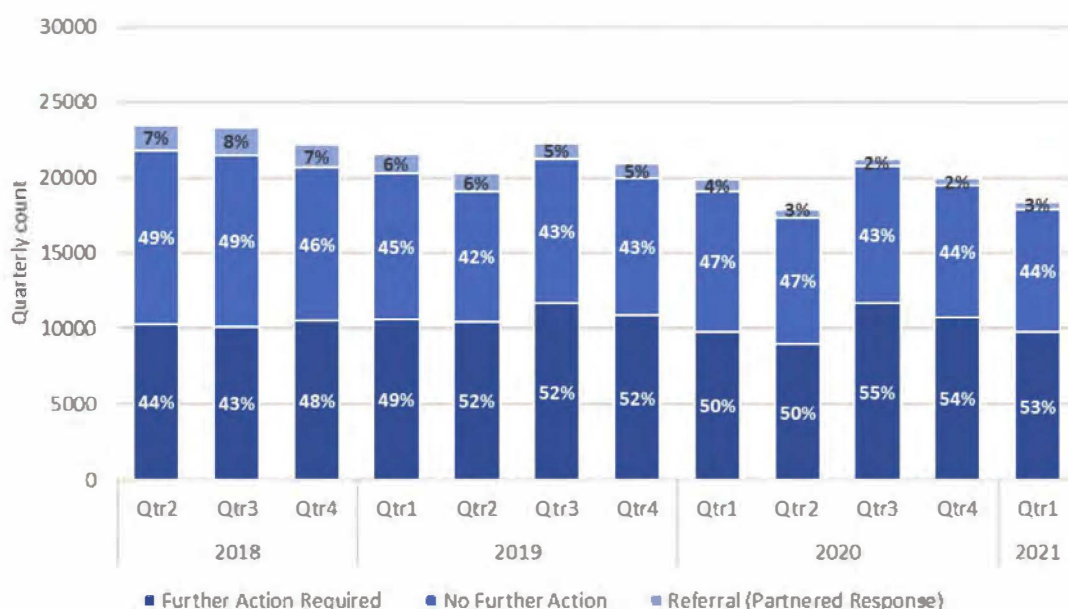


The total number of RoCs received on a quarterly basis continues to trend downwards (Figure A3.3). While overall RoC numbers are trending down, the number of RoCs being referred for further assessment (with an outcome of 'Further Action Required'), has held quite steady (Figure A3.4). As a result, the relative proportion of RoCs requiring further action is trending upwards.

Figure A3.3 Number of Reports of Concern received by Oranga Tamariki



5 Percentages may not add up to 100% due to rounding.

Figure A3.4 Report of Concern outcomes<sup>6</sup>

## ASSESSMENT AND INTERVENTION

### Assessments

RoCs that are progressed for further action require a more in-depth assessment to be conducted. In the 12 months from 1 April 2020 to 31 March 2021, 40,300<sup>7</sup> assessments were completed<sup>8</sup>. Of the completed assessments 6,200 (15%) were assessed as requiring further action with most being referred for a Family Group Conference (FGC)<sup>9</sup>. While Hui-ā-Whānau are being used increasingly across the organisation in the assessment and intervention phases, inconsistency in recording practice means that the number of these being completed cannot reliably be reported on at this stage.

With the disruption caused by COVID lockdown, there is little in the way of a recent stable trend in the number of assessments. There is however a clear downtrend in the proportion of assessments which result in a Further Action Required outcome (Figure A3.5).

6 Percentages may not add up to 100% due to rounding

7 For 34,500 individual tamariki (some tamariki had more than one), or about 3% of the New Zealand population aged 0-17.

8 This 40,300 is the actual number of assessments that were completed after a RoC. This should not be confused with the Oranga Tamariki quarterly report number of 41,300 which is the number of RoCs which resulted in further action. The difference between the numbers is largely due to the same tamariki appearing in multiple RoCs, then being combined into a single assessment.

9 Other outcomes include mostly Family Court Orders and Family Whānau Agreements.

### Family Group Conferences

The majority of assessments that require intervention result in the holding of an FGC. In the 12 months from 1 April 2020 and 31 March 2021, 8,500<sup>10</sup> FGCs were held. Two thirds of these (5,700) were new FGCs and the other third were focused on reviewing existing FGC plans or reconvening an FGC when the existing plan no longer meets the needs of the tamariki. As with assessments, COVID lockdown caused significant disruption to the trend (Figure A3.6).

Figure A3.5 Number of completed assessments and number resulting in further intervention

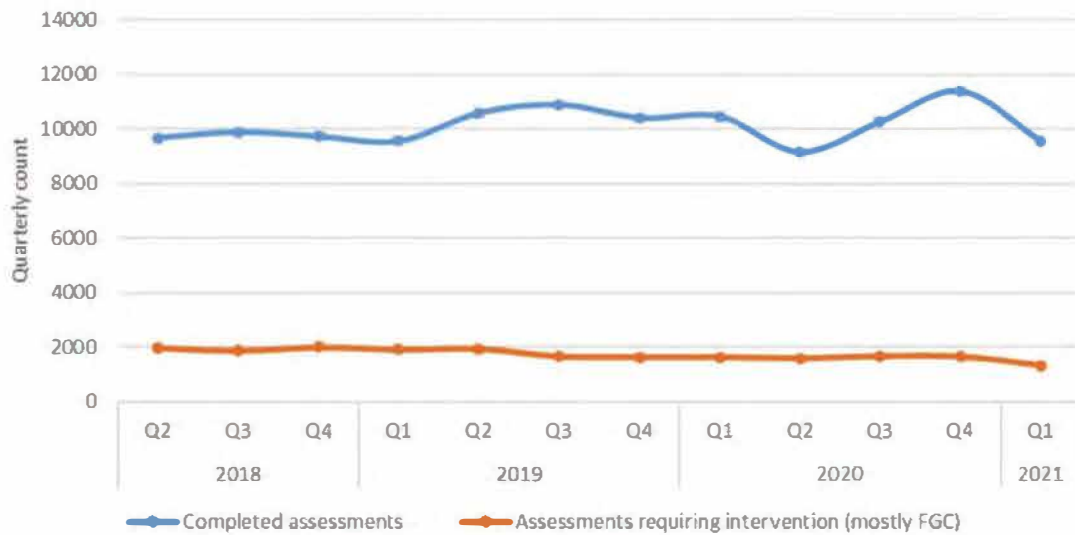
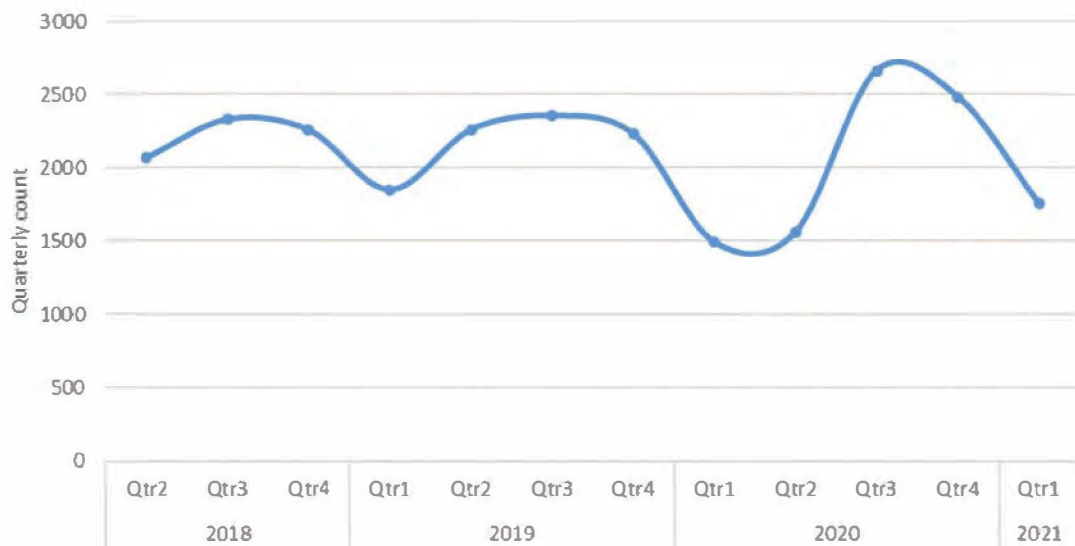


Figure A3.6 Number of FGCs held



10 For 6,200 individual tamariki (some tamariki had more than one), or about 0.53% of the New Zealand population aged 0-17.



## CARE PLACEMENTS

### Number of tamariki in care

The 12-month period between 1 April 2020 and 31 March 2021 saw the continuation of the trend for fewer tamariki to enter care (Figure A3.7) than to exit care (Figure A3.8). This has led to a continued decrease in the overall number of tamariki in care (Figure A3.9). As of 31 March 2021, there were 5,400<sup>11</sup> tamariki in care<sup>12</sup>.

Figure A3.7 Number of tamariki entering care

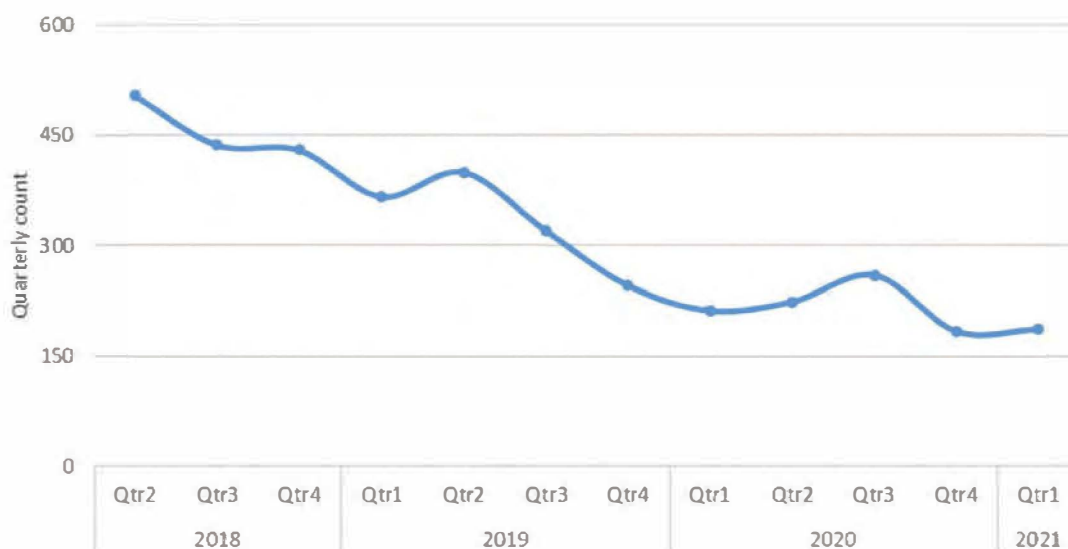
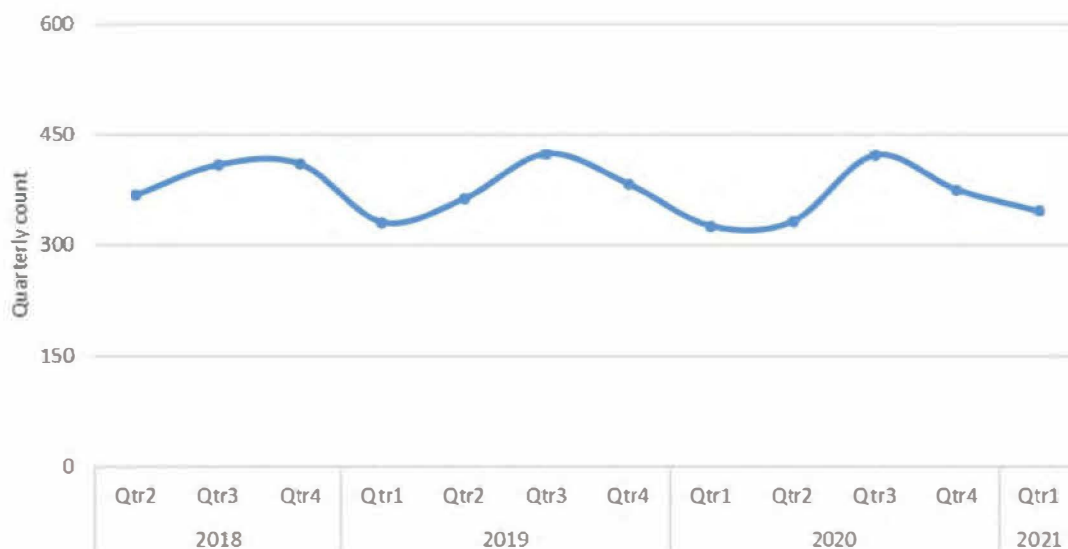


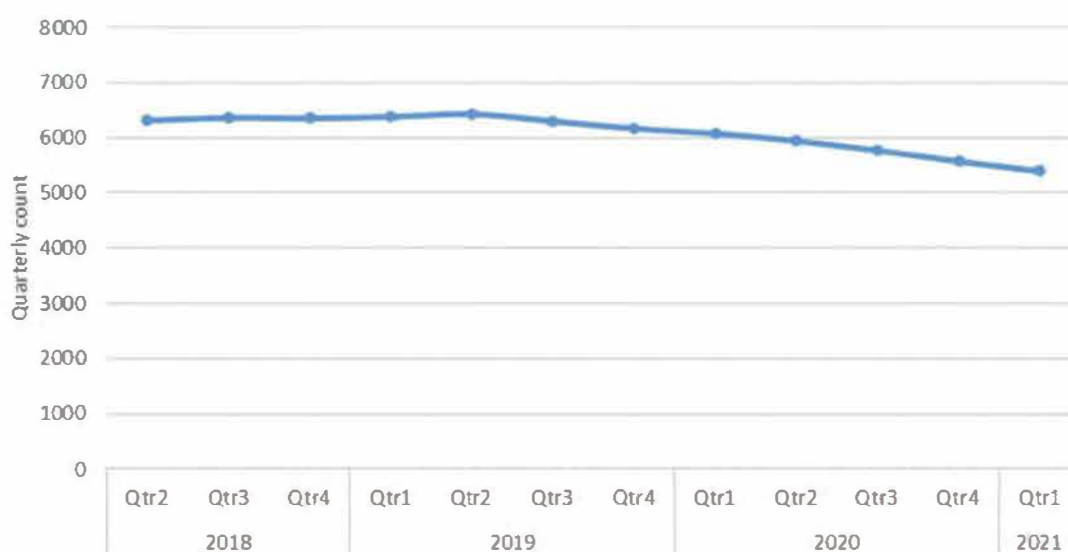
Figure A3.8 Number of tamariki leaving care ('exits')



11 About 0.47% of the New Zealand population aged 0-17.

12 The number of tamariki entering care, leaving care and in care (as at the end of each quarter) does not include tamariki on warrants (s39, s40, s42, s48). This is because warrants are generally shorter than five days.

Figure A3.9 Number of tamariki in care (as at the end of each quarter)



### Quality of social work practice for tamariki in care

The quality of frontline practice provides a critical lens through which operational volumes are interpreted. Robust measures of practice quality are among the most effective leading indicators of outcomes for tamariki.

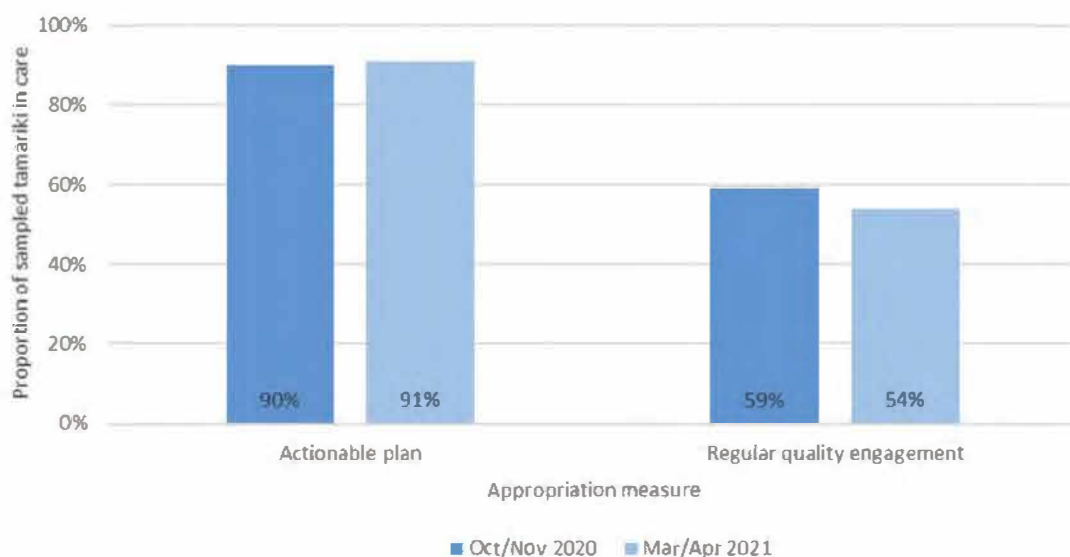
Given the complex nature of evaluating practice quality, the methodology for gathering this information tends to be time-intensive and as a result, high-quality reportable data is not always readily available. In the practice quality appropriation measures Oranga Tamariki does however have data that sufficiently meets the rigors required of externally monitored indicators. As data in the practice assurance area continues to mature, the Board will look increasingly to this information as a critical barometer of organisational performance.

To date, there are two data points for the two current indicators. These relate to effective plans<sup>13</sup> and the quality engagement with tamariki.<sup>14</sup> While it is too early for trend analyses, these data points provide a useful baseline (Figure A3.10)

13 Defined as 'The percentage of children, in care for more than three months, with an actionable plan'.

14 Defined as 'The percentage of children, in care for more than three months, with regular quality engagement with an Oranga Tamariki practitioner'.

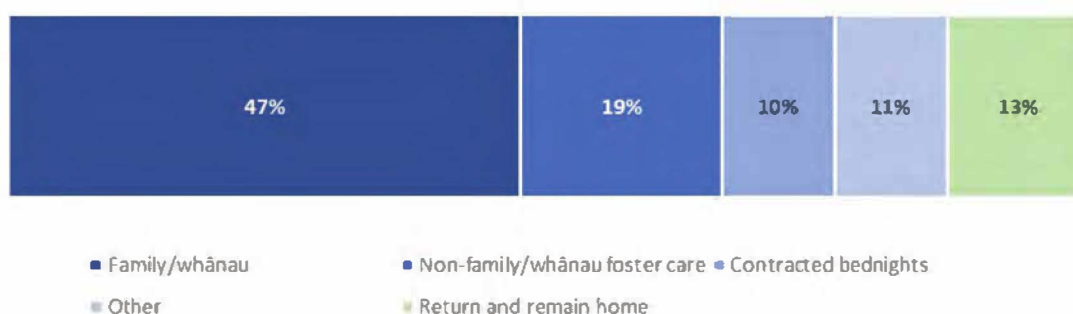
Figure A3.10: Quality of practice for tamariki in care – practice quality appropriation measures



### Placement type

Figure A3.11 shows the proportion of tamariki in different care placement types. Of all placement types, almost half of tamariki in a care placement are in a family/whānau placement, one fifth are placed with a non-family/whānau foster carer, and one tenth are in placement with a contracted care provider.

Figure A3.11 Proportion of tamariki in care by placement type (as of 31 March 2021)<sup>15</sup>



### Average time spent in care and age in care

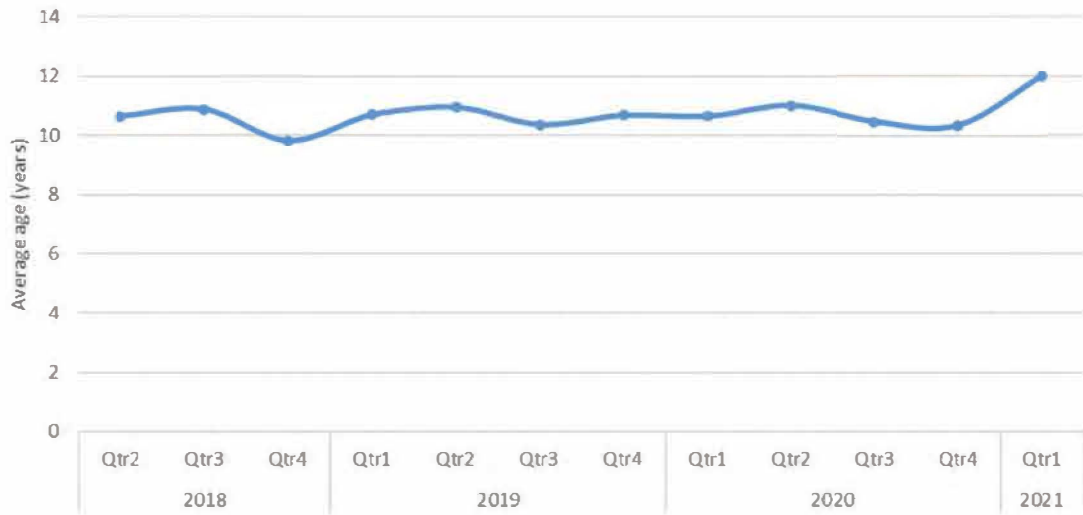
The following graphs (Figures A3.12 to A3.15) show how the average age of tamariki in care has been changing over time. This has been explored comprehensively in an excellent insights piece by the Oranga Tamariki Evidence Centre<sup>16</sup>, so the intention in this section is to simply highlight some overall trends. While the average age of tamariki leaving care has been relatively stable over time (Figure A3.12), Figures

15 The data presented may differ from versions presented by Oranga Tamariki. This is because this graph includes both out of home placements (such as family/whānau placements and non-family/whānau foster placements) and in home placements (remain and return home).

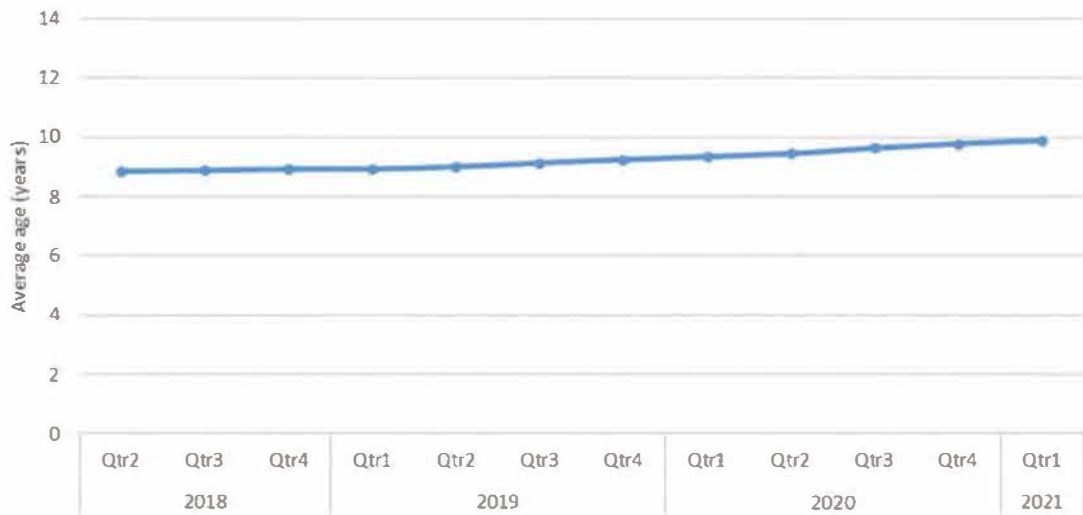
16 Analysis of the decrease in the number of children entering care: A quantitative analysis of operational and contextual data – Oranga Tamariki Evidence Centre.

A3.13, A3.14, and A3.15 show how the average age of tamariki in care has been steadily increasing (A3.13) due to a higher average age for tamariki entering care (A3.14)<sup>17</sup> and tamariki spending more time in care (A3.15).

**Figure A3.12 Average age of tamariki leaving care**



**Figure A3.13 Average age of tamariki in care**



17 Based on findings from the Evidence Centre report, a decrease in entries into care for pēpi Māori contributed the most to this decrease, hence the overall increase in the average age of tamariki entering care.



Figure A3.14 Average age of tamariki entering care

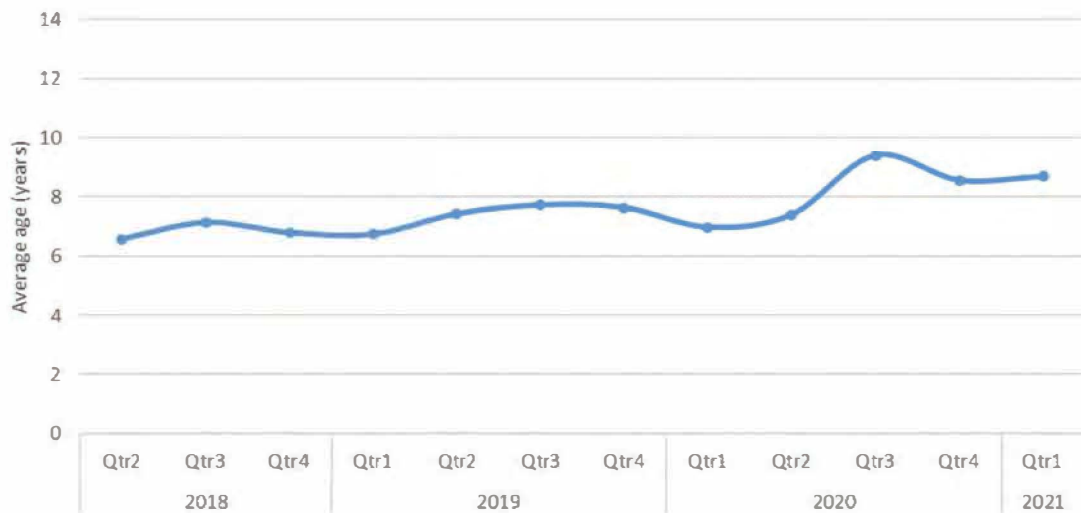
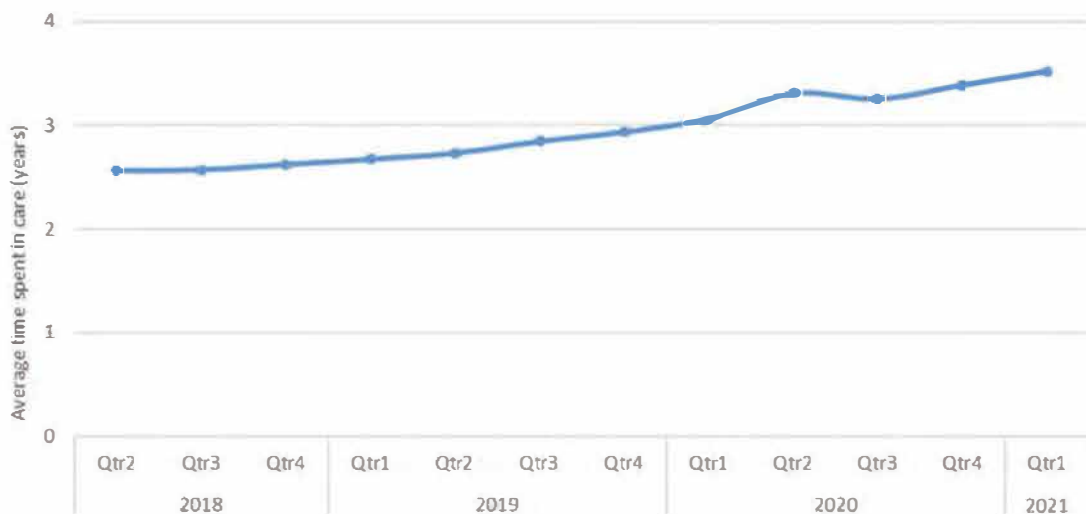


Figure A3.15 Average time spent in care by tamariki



## ETHNICITY OF TAMARIKI IN THE CARE AND PROTECTION SYSTEM

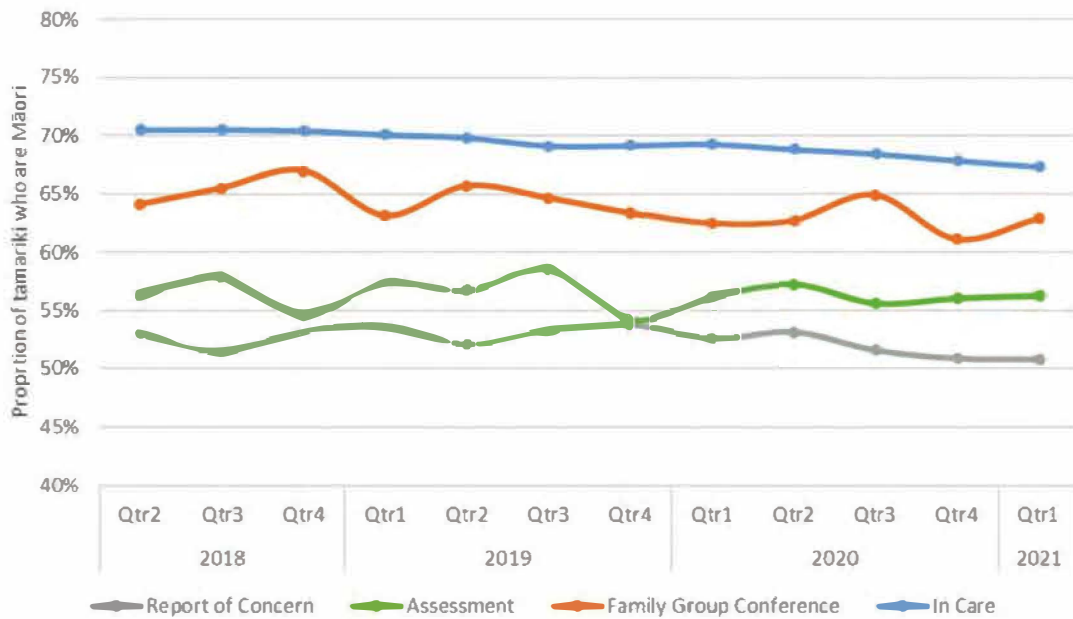
Figure A3.16 shows the proportion of tamariki, at different points in the care and protection system who are Māori. Quite simply, the more Oranga Tamariki is involved, the more likely tamariki are to be Māori. Since CYRAS, in line with StatsNZ collection standards, allows for the collection of more than one ethnicity per person, many of these tamariki Māori identify with other ethnic groups.

Over the last three years, the proportion of Reports of Concern (RoCs) concerning tamariki Māori has sat at just over 50%.<sup>18</sup> Compare this with the proportion of tamariki in care who are Māori which has sat at or just below 70% over the last three years. While this graph illustrates the observation that Māori are overrepresented in the care and protection system (proportionally, Māori account for 27% of the 0-17

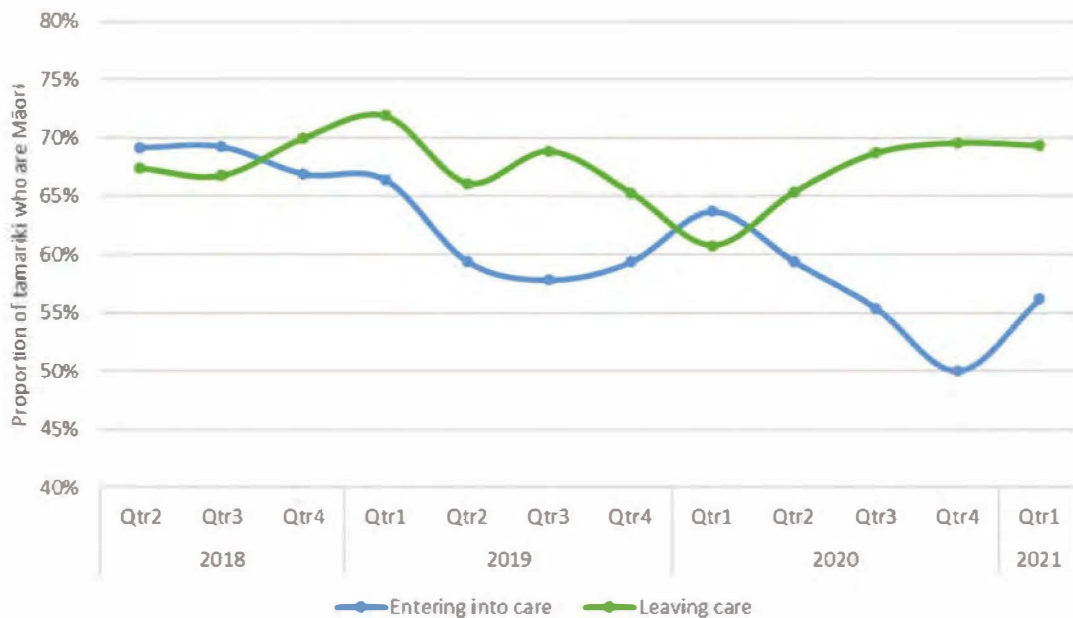
<sup>18</sup> RoCs have a relatively high proportion of ethnicity non-response at just under 10%. This is because many are closed (no further action from Oranga Tamariki) before the ethnicity of the tamariki can be ascertained.

population<sup>19</sup>), the trend data also shows that across the care and protection system, the proportion of tamariki who are Māori is decreasing. This downward trend is particularly noticeable for tamariki entering care (Figure A3.17).

**Figure A3.16 Proportion of tamariki in care and protection system who are Māori**



**Figure A3.17 Proportion of tamariki entering care and leaving care who are Māori**



19 As of 31 December 2020 (StatsNZ Infoshare). As a proportion of the general population, 17% are Māori (all ages).

