

Response: Independent Children's Monitor

Response from Oranga Tamariki—Ministry for Children to the first full report of Te Mana Whakamaru Tamariki Motuhake – Independent Children's Monitor: Experiences of Care in Aotearoa: Agency Compliance with the National Care Standards and Related Matters Regulations (Reporting period 1 July 2020 - 30 June 2021)

Response to the first full report of the Independent Children's Monitor

Oranga Tamariki—Ministry for Children (Oranga Tamariki) welcomes the first full report of Te Mana Whakamaru Tamariki Motuhake – Independent Children's Monitor (the Monitor).

Overview

This is the Monitor's first full report that assessed the compliance of Oranga Tamariki and approved organisations¹ (the agencies) with the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018 (NCS Regulations) and covers the period between 1 July 2020 and 30 June 2021.

In preparing this report, the Monitor met with Oranga Tamariki staff, gathered data and information from the agencies, and visited communities and spoke with tamariki and rangatahi in our care, whānau, caregivers, and professionals.

We welcome this report and will use the insights, along with other internal and external feedback, to support our focus on enhancing the quality of practice for tamariki in care, their whānau, and caregivers.

We were pleased to note the Monitor's finding that the strength of the agencies is their genuine care for the tamariki and rangatahi in their care and the desire of kaimahi and caregivers to improve the lives of the tamariki and rangatahi they work with or care for.

We acknowledge that, while our self-monitoring has improved, the issue of recording continues to impact on our ability to demonstrate compliance with the NCS Regulations. As noted in the report, it is a key area of focus for us and we have committed to improving data and how we capture and use information. Fully achieving the aspirations of the National Care Standards will take time and continues to form part of our multi-year transformation journey.

Our Response to your key findings

What we will do to strengthen specific areas of practice

1. Gaps in monitored agency data limits our ability to fully understand how they are meeting their obligations under the NCS Regulations

We have significantly strengthened our self-monitoring of the NCS Regulations since they were introduced. This includes annual surveys of the experiences of tamariki in care and their caregivers and new annual case-file analysis against key elements of the NCS Regulations.

We agree there is further work to do to expand data and information on whether we are meeting our obligations under the NCS Regulations and are working to address these gaps.

In the short-term (i.e. within the next financial year), we will:

- Expand the question set and frequency of case-file analysis, including broadening the scope to include residences.
- Monitor the participation of new, fully-approved and provisionally-approved caregivers in the 'Prepare to Care' training programme on a monthly basis; the subsequent implementation of

¹ Barnardos, Dingwall Trust and the Open Home Foundation

the new Caregiver Information System (CGIS), will capture more administrative data on learning and support for caregivers.

- Launch a new whānau survey to collect more information on the experiences of parents and whānau.

In the medium-term, there are specific actions that will improve our ability to understand and monitor our compliance. We will:

- Explore options for replacing our main case management system (CYRAS).
- Utilise the Social Wellbeing Agency's Data Exchange and other information sharing initiatives to identify any gaps in the support delivered to those who are referred to other services (also through working with other agencies as part of the Oranga Tamariki Action Plan).

2. Self-monitoring of compliance with NCS Regulations needs to improve, so we can understand the quality of care and how to improve

The report advised that the Monitor is *"concerned that Oranga Tamariki ... do not yet have comprehensive systems to self-monitor their compliance with the NCS Regulations."*

We agree that while the systems we have in place to self-monitor compliance have strengthened since 2019, they are not yet comprehensive and there is more to do to develop their maturity.

There are several initiatives underway to enable this:

- Our new performance reporting suite, Whiti, is expected to be rolled out to all sites by the end of the financial year. This will give enhanced internal visibility of information about the tamariki and rangatahi we work with, including tamariki and rangatahi in care. For example, Whiti can identify tamariki who have not had a visit by their social worker recorded in a certain period of time, tamariki without an All About Me Plan, information on iwi affiliation, types of placement, and work coming up to further support kaimahi with forward planning and engagement with whānau. Early trials of Whiti have shown that easy access to this information supports improved practice and recording in the CYRAS system, as it provides real time visibility about our performance and makes it easier for site leaders and kaimahi to see what information is missing.
- The new CGIS will be implemented in early 2022 over a three-month rollout period, with a subsequent period of embedding. From July 2022, it will provide long term benefits including greater visibility of each caregiver's journey with Oranga Tamariki and performance reporting to target areas for enhancement in our day-to-day operations.
- There is further work underway to review the Performance Framework to align with the new organisational strategy and to embed evidence-based decision-making at all levels.

We are also working to strengthen our systems for continuous improvement, in line with our obligations under the NCS Regulations. This will ensure we use the information collected from our self-monitoring work to implement changes in policy and practice, whether at the individual level, within particular sites and regions, or nationally. To date we have:

- Shared information with sites and regions on the results of self-assessments, casefile analysis and Te Tohu O Te Ora, so that these can inform local improvement plans.
- Introduced regional practice change networks, as part of the new Practice Framework, to empower regions to identify and implement the changes they see as most important to improve practice in their area.

We will:

- Invest further in the ability of supervisors to support individual social workers to improve their practice.
- Share more detailed information with sites and regions on areas for improvement that have been identified through ongoing casefile analysis.
- Increase training and support for frontline leaders to appropriately respond to performance data and information as part of the rollout of the Whiti tool.
- Develop our governance mechanisms to ensure effective feedback loops from self-monitoring activities at the national level.

We expect that, over time, these activities will increase the value of self-monitoring by ensuring it translates into meaningful change.

3. Tamariki and rangatahi do not know and understand their rights

Manaaki Kōrero

We are strengthening our feedback and complaints system, so that it is fit-for-whānau and ensures tamariki, rangatahi and whānau have their voices heard and have confidence in the process. The Board's report, *Te Kahu Aroha*, also identified the need for Oranga Tamariki to design mechanisms that transfer power back to tamariki and whānau and enable them to advocate for themselves and others in ways that work for them. This is being actioned under Manaaki Kōrero.

Manaaki Kōrero is a project where we will work in partnership with VOYCE – Whakarongo Mai over the coming year to design and deliver feedback, complaints, information, advice, and assistance processes that meet the needs of tamariki, rangatahi and whānau. Implementing information and advice mechanisms that are designed in collaboration with tamariki, rangatahi and whānau will better enable them to access and understand their rights and empower them to self-advocate within the Oranga Tamariki system. The residences are committed to working with VOYCE – Whakarongo Mai in this project.

We are updating the 'My Rights My Voice' resource to better reflect Te Ao Māori and relational practice. 'My Rights My Voice' is a tool used by Oranga Tamariki kaimahi when talking to tamariki and rangatahi about their rights. This tool supports the requirement set out in the NCS Regulations to ensure tamariki and rangatahi are informed of and understand their rights under the Oranga Tamariki Act 1989 and the NCS Regulations. Internal communications will be released alongside the updated resources outlining for kaimahi how these resources will support them to meet the NCS Regulations and help them to communicate key messages to tamariki and rangatahi in a child-friendly way.

More broadly, at the heart of the Oranga Tamariki Practice Shift (discussed further below) is the introduction of a new Practice Framework that has the rights of tamariki and whānau, and our obligations to them, at the centre. This includes a deliberate move away from seeing tamariki in isolation from their whānau to understanding tamariki in the context of their whakapapa with a broad and holistic view of oranga as our frame. The Practice Framework will prompt and guide practitioners to consider the rights of tamariki in their decision making and can also be used in supervision to reinforce rights oriented practice. This rights-based domain is a crucial element in the assurance and oversight of our statutory functions.

Care and Protection and Youth Justice Residences

Upon admission to our Care and Protection and Youth Justice residences all tamariki are provided with information outlining their rights and how to make a complaint.

Care and Protection residences have developed a “Welcome booklet” that outlines what tamariki can expect and their rights to communication and child centric activities, such as education and community participation. Youth Justice kaimahi take rangatahi through an admissions process where they are provided with an orientation around life in the residence, which covers their rights and the systems in place to enhance their wellbeing. The rights and how to make a complaint are revisited with tamariki and rangatahi on a weekly to three weekly basis and displayed visually within each unit. In addition, the Clinical teams make contact with whānau and provide a similar overview to whānau and caregivers while seeking their voice.

A recent initiative has been the establishment of regular meetings between advocates from VOYCE – Whakarongo Mai and the residences’ National Managers, and with the tamariki and rangatahi in our Care and Protection and Youth Justice residences. The purpose of these meetings is to build relationships, discuss their advocacy role, and provide tamariki and rangatahi with an outline on how they can support them to strengthen their voice. This includes providing support for individual tamariki and rangatahi during the grievance process. Grievance Panel members also regularly visit our Care and Protection and Youth Justice residences to engage with tamariki and rangatahi and ensure they understand how the grievance process (Whāia Te Maramatanga) operates. A visual diagram of Whāia Te Maramatanga is also visible in each unit, which outlines the steps a grievance goes through to ensure it is thoroughly investigated and how tamariki will have a voice throughout the process. We have identified improvements to strengthen Whāia Te Maramatanga, based on feedback and insights from tamariki and whānau.

Over the last two years all Youth Justice residences have moved to adopt a Te Ao Māori practice approach, Whakamana Tangata. Whakamana Tangata is based on, and informed by, Māori values (ara tikanga, mana, tapu, mauri ora, and piringa) and four restorative principles (relationships, respect, responsibility, and repair). These values provide a ‘framework’ to influence the relationships and interactions between all kaimahi and rangatahi. The integration of Te Ao Māori values into day-to-day residential life provides the basis of a ‘culture of care’ where rangatahi and kaimahi are encouraged, and expected, to take responsibility for their thoughts, attitudes, actions, and behaviour. Through its practice tools Whakamana Tangata promotes rangatahi participation in daily decision making and ensures rangatahi voices are heard.

A new induction package for our Care and Protection residences, Te Waharoa, is in the final stages of development. Te Waharoa is designed to introduce new (and current) kaimahi to the residential environment through the four-to-five week programme that embeds Te Ao Māori sources of knowledge, methods, and principles across all roles and practice. It will ensure kaimahi understand the context, responsibilities, and expectations to support tamariki to understand their rights within the residential setting, and how to support tamariki to have a voice throughout their care journey. It will be embedded within all Care and Protection residences in 2022.

Other work underway includes:

- The development of practice expectations mandating that rangatahi are provided with a grievance form after being searched or admitted to Secure Care.
- The appointment of several new roles at a National and Residential level, including a National Quality Lead, Residential Quality Leads, National Training Coordinator, Residential Training Leads, and the Kaiwhakaako (cultural advisor within residence).
- Implementing the priority areas for action from the voluntary national survey Te Tohu o te Ora report, Te Mātātaki. The findings will be used to improve experiences for tamariki and rangatahi in care and drive high-quality and culturally responsive policies, practices, and services.

4. Connections with whānau and culture are important for tamariki Māori in care

Oranga Tamariki is committed to working effectively with Māori and having regard to mana tamaiti, whakapapa and whanaungatanga in our practice. This includes supporting tamariki and rangatahi Māori who are in our care or custody to establish, maintain or strengthen their sense of belonging through cultural identity and connections to whānau, hapū, and iwi. Our goal is that all tamariki Māori are thriving under the protection of whānau, hapū, and iwi.

We have already taken a number of steps that support strengthening connections between tamariki Māori and their whānau and culture. This includes:

- Increasing the number of kairanga-a-whānau and Māori specialist roles, who work to identify and engage significant whānau, hapū and iwi members in decision-making for their tamariki as early as possible and facilitate connections based on whakapapa and whanaungatanga.
- Updating our policy on the All About Me Plan for tamariki which includes an emphasis on the requirement to undertake thorough whānau or family searching and engage members of the family, whānau, hapū, iwi or family group who can contribute to the planning process.

We are also working to further develop Te Toka Tūmoana (our indigenous and bicultural principled framework for working with tamariki and whānau Māori) into a model of practice that will build on the integrity and distinctness of Māori beliefs and practices, to advance the oranga of tamariki/mokopuna within the context of our work.

In addition to what is included in the report regarding the 'Oranga Tamariki Practice Shift' on page 118 (and further below in this response) the practice shift sees all children in the context of whakapapa with oranga as a frame. While the safety of children will always be the priority, Oranga Tamariki is increasingly working in partnership with whānau and families, caregivers, hapū, iwi and community (including other government services and agencies) to look for solutions that address the collective and longer-term wellbeing (oranga) of children and their whānau or family.

Other work underway includes:

- Working with Whānau Care to recruit and support caregivers in partnership with iwi and kaupapa Māori providers to ensure wherever possible tamariki are in safe, stable, and loving care within their whānau, hapū or iwi.
- The development of Te Hāpai O, which is a Māori cultural capability programme for Oranga Tamariki kaimahi.

5. Oranga Tamariki respond well when tamariki enter care; practices weaken during their time in care

Practice policy and guidance requires that social workers continue to build their relationship with te tamaiti and continue to reassess and respond to needs throughout the child's journey in care, and that the All About Me Plan reflects this. Operational policy has moved away from the requirement for social workers to visit eight-weekly to now requiring social workers to ensure that frequency of visits with te tamaiti are based on the needs of the child, their views and wishes, how events in their lives are impacting them and the level of attachment and connections they have with significant people in their lives. Family Group Conference and Court Plans are regularly reviewed, and operational policy requires that this information, and that gathered from the visits with te tamaiti, are reflected in the All About Me Plan.

The Oranga Tamariki Practice Shift has highlighted how essential it is for social workers to be broadening their collaboration to include whānau and families, caregivers, hapū, iwi and community (including other government services and agencies). An increasing number of sites are holding regular “Tamariki in Care Clinics”, where the Oranga Tamariki kaimahi, including Kairaranga-a-whānau, meet to discuss and review what is happening for each tamaiti in care. In most regions these clinics are held at least monthly where All About Me Plans and visits to tamariki are discussed alongside care goals for tamariki and rangatahi. Actions from these clinics include reassessing frequency of visits and ensuring the Caregiver Support Plan aligns with the All About Me Plan. In some regions, these clinics have developed into ‘Care Leadership Teams’, with iwi and community partners as key members, to have oversight of all children in care, putting tamariki and whānau at the centre of decision making, and to share ideas and solutions whilst holding each other to account. This model will be introduced in more regions before June 2022, supported by co-working of care cases with iwi and NGO partners.

Practice Leaders will continue to be supported to facilitate practice sessions with kaimahi that focus on the NCS Regulations in the context of the Practice Framework, whilst encouraging kaimahi to engage with e-learning and professional development content.

Once our new performance reporting suite, Whiti, has been rolled out, it will provide our kaimahi with enhanced visibility on when a child is next due a visit from their social worker. Early trials have already shown that the new system helps site leaders and kaimahi understand what information is missing about tamariki and rangatahi in our care.

6. Caregivers need more support

Since 30 June 2021, Oranga Tamariki has developed a suite of new resources for caregivers. The new resources include brochures for people who are considering becoming an Oranga Tamariki caregiver, and a Caregiver Kete and NCS Regulations booklet for caregivers who are provisionally or fully approved. This is to ensure that caregivers have access to the right information at the right time, are aware of the supports they can access, and to help them feel prepared to support the tamariki and rangatahi in their care.

We have strengthened the operational policy and messaging about the All About Me Plan informing the Caregiver Support Plan, to better reflect the need for the child’s social worker and the caregiver social worker to work closely together to ensure that the caregivers are supported to meet the changing needs of te tamaiti.

The new Caregiver Information System (CGIS) will be implemented in early 2022 over a three-month rollout period, with a subsequent period of embedding. This will provide long term benefits through greater visibility of a caregiver’s journey with Oranga Tamariki but will result in a period of adjustment for our kaimahi as this technology is implemented and embedded.

Support for prospective caregivers

Significant improvements have been made to better support people becoming caregivers. Prospective caregivers can choose to be supported in-person or through an online portal to complete their application with a dedicated Caregiver Enquiries Team to support them through this process.

Caregiver Social Workers now utilise a set of resources to prepare prospective caregivers for their role. These resources support caregivers in their practice to ensure that prospective caregivers are informed, have their questions answered, and are ready to make a decision about caregiving and move on to their assessment. Caregivers can choose to engage with these resources, known as ‘Prepare to Care’, in ways that work for their whānau – online, in a group, as a whānau. We take a

continuous improvement approach with our front line kaimahi for the delivery of this learning – seeking improvement to the quality, channels, and ways caregiver experience delivery of this learning.

In 2022, we will be monitoring the participation of caregivers in the ‘Prepare to Care’ programme on a monthly basis so we can take remedial action to ensure all caregivers have the opportunity to engage with this information. This self-monitoring will also mean we can report to the ICM the percentage of new caregivers who have participated in ‘Prepare to Care’, which is the primary means of ensuring they receive required information to meet the NCS Regulations.

Support for approved caregivers

As at 31 December 2021, 97 percent of caregivers have a caregiver support plan. Oranga Tamariki has been coaching caregiver social workers on improved recording of:

- Agreements with caregivers as to the frequency of connection and kanohi-ki-te-kanohi visits.
- Needs and associated supports that caregiver social workers have recommended the caregiver access or supports the caregiver social worker has provided – including advice, emotional, practical and advocacy supports.

We anticipate this will better enable caregivers, Oranga Tamariki and the ICM to see how caregivers are being supported by their caregiver social worker. In 2022, we will continue to conduct reviews of case files and from this learn how we need to improve the support we are offering caregivers.

We have also considered the user experience of the Caregiver Support Plan document and responded to feedback from caregivers and kaimahi by improving layout and functionality.

Learning opportunities for caregivers

We understand the value that learning can provide our caregivers, however, we balance this with the caregiving and participation in learning being voluntary. Our focus is on connecting caregivers to learning opportunities that best meet the individual needs of their whānau, which is often provided within their local community.

In the first half of 2021/22, 225 caregivers participated in an extensive range of learning opportunities offered by Caring Families Aotearoa and funded by Oranga Tamariki. By the end of 2021/22, 593 caregivers will have had the opportunity to participate in multi-week intensive trauma-informed learning and support programmes. These programmes are delivered by partners, many being iwi social services and kaupapa Māori organisations or collaborations.

At the end of the financial year, in line with contractual reporting, we will be able to ascertain the volume of caregivers who have participated in trauma-informed learning and support programmes and learning through Caring Families Aotearoa. Other learning occurring through non-contracted opportunities cannot be reliably monitored.

The Caregiver Survey indicates a 20 percent increase in participation in learning opportunities from 2019 to 2021, which is promising and something we attribute to a dedicated focus on this area and the provision of a range of opportunities (different modes, Te Ao Māori perspective/partners). The survey also provides caregivers with the opportunity to provide feedback about their learning experiences and what additional learning would be of benefit. The continued delivery of learning opportunities is dependent on availability of funding to work with community providers and experts so we can continue to support caregivers in their caregiving role.

Financial assistance

In 2019, Oranga Tamariki carried out a review into the financial assistance provided to caregivers to make sure it meets the needs of children and caregivers. In response to the review, Cabinet set the strategic direction for the financial assistance system for caregivers through a set of objectives and principles, and a long-term work programme exploring a simplified and unified payment model for all caregiver payments.

We have since made progress to address some of the most pressing issues that caregivers are facing in relation to the financial assistance they receive. However, further change will be required to develop a simpler, fairer, and more equitable system of financial assistance and support. Oranga Tamariki is currently undertaking work to reform the system of financial assistance and support for caregivers, so that it supports tamariki to thrive under the protection of their family, whānau, hapū or iwi, and provides more support to caregivers outside of the State care system.

7. Agency support of health needs, especially mental health needs, is variable

Following the care standards case file analysis completed in 2020/21, we have improved the data capture for case-file analysis for the 2021/22 year. This includes improved information around tamariki and rangatahi with disabilities – this time looking at disability needs beyond those which meet the criteria for Disability Support Services (DSS). This is in line with a psycho-social definition of disability which includes diagnoses such as Fetal Alcohol Spectrum Disorder, Global Developmental Delay, ADHD, and Mental Health diagnoses. Future case file analysis will capture the diagnosis type (rather than just yes/no to disability) which will provide more insight into the nature and complexity of disability needs for those in our care. This is in addition to the existing data capture around assessment of mental health needs in their own right.

An introduction to trauma and intergenerational trauma is covered in two modules as part of our foundational learning pathway for new social workers to Oranga Tamariki. Over the three-day Practice Foundation One (PF1) course, there is specific learning related to intergenerational trauma and the impacts of colonisation on Māori and tauiwi. This is also woven through the learning during PF1 to ensure it is not kept in isolation but applies and informs all aspects of social work practice. Our trauma-informed theory is one of the theories that underpins our practice framework and supports our kaimahi in understanding the nature and impacts of trauma on the tamariki and whānau that we work with.

To strengthen the relationships between our Care and Protection residences and health and education services, the national Manager Clinical Services is currently establishing interagency governance groups across the residences. From these forums, there have been beneficial actions including access to after-hours clinical nursing and agreed processes to ensure comprehensive planning across regional mental health services, both at the admission and the transition stages.

The Ministry of Health and Oranga Tamariki have established a bi-monthly forum that provides the opportunity to review and improve health related services. This group will also focus on the future of our residential services to support the move out of residential facilities and the growth of community home settings.

8. Agencies not communicating and working together effectively is a common barrier to achieving outcomes

The Children's Act 2014 requires chief executives of children's agencies to have an Oranga Tamariki Action Plan (Action Plan) that sets out how they will work together to improve the wellbeing of the

core population of interest to Oranga Tamariki. The Action Plan sits under the Child and Youth Wellbeing Strategy (published in 2019) and must give effect to its outcomes. Children's agencies are planning to publish an Action Plan in early 2022.

The Action Plan presents a key opportunity to address the finding that agencies are not communicating and working together effectively. As highlighted in the Board's report, *Te Kahu Aroha*, the responsibility for improving the wellbeing of children and whānau and preventing the need for children to come into care sits with a range of government agencies and requires a collective approach. Publication of the Action Plan will confirm our collective commitment to prioritise populations of interest to Oranga Tamariki. The Action Plan is a critical enabler for advancing shared accountability and a monitoring framework across children's ministers and agencies to improve the wellbeing of the tamariki and rangatahi with the greatest needs and prevent the need for them to come into care.

The Action Plan will also assist Oranga Tamariki social workers, site managers and regional managers in conversations with their agency counterparts to ensure that the tamariki, rangatahi and whānau they are working with can access the services and supports they need.

We continue actively working to remove operational barriers to Oranga Tamariki sharing data and information with other agencies. This includes the development and delivery of resources and training to support staff to understand the information sharing provisions in the Oranga Tamariki Act 1989.

Other work underway includes:

- Ngā Tini Whetū, a collaboration between Oranga Tamariki, Te Puni Kōkiri, ACC, and the Whānau Ora Commissioning Agency, to develop and implement a new, whānau-centred early intervention prototype.
- Developing a new high-level principle-based schedule in the existing Memorandum of Understanding between Oranga Tamariki, Police, Ministry of Health and each DHB.