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# Independent Children's Monitor

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The monitor  
for the  
Oranga Tamariki  
system

## Strengthening oversight of the Oranga Tamariki System Regional Hui



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January - March 2020

# Plan for our hui

- Introduction and context on why we are here and the purpose of today's hui
- Independent Children's Monitor – summary of our work
- Office of the Children's Commissioner – summary of work
- Ombudsman's Office – summary of work
- Break for morning tea
- Market place – an opportunity to talk and hear in more detail from each oversight agency
- Wrap up and final words

# Why are we here?

- In April 2015, the Minister for Social Development established an Expert Panel with a mandate to determine how to tackle this most pressing issue that faced contemporary New Zealand: How can we transform the lives of our vulnerable children once and for all?
- Their report, the Expert Panel Final Report – Investing in New Zealand's Children and their Families was published in December 2015.

# What did the Expert Panel say?

The report highlighted the need for greater transparency and a number of points of support, monitoring and oversight including an on-going role for the OCC in providing oversight and monitoring of the statutory functions of the department (Oranga Tamariki).

The report recommended that there would be a monitor across the system and processes for establishing caregiving placements and care services, that it would report to Government regularly and reports would be published of findings to support transparency and public trust and confidence.

# The Beatie Review

- Following the Expert Panel Report, on 9 August 2017, the government agreed to review the independent oversight arrangements for the Oranga Tamariki system
- Sandi Beatie QSO was appointed as the independent lead reviewer

# The Beatie Review cont.

- Phase one of the review considered current setting for oversight, gaps, overlaps, international models and potential for strengthening the independent oversight arrangements.
- Phase two of the review focused on public consultation with a wide range of stakeholders. The consultation sought stakeholders' views on what core functions are required for strong oversight, critical features for success (including skill and knowledge requirements), whether and how functions best sit together, and how the respective functions could be organised.

Overall there is a compelling case for stronger oversight of the Oranga Tamariki system and children's issues

# Key findings

There was broad agreement across stakeholder groups on the need for:

- strong and independent system-level advocacy for all children and young people
- independent complaint avenues separate from Oranga Tamariki that are accessible, trusted, timely, fair and safe
- a broader systemic monitoring of the care, protection and youth justice system as a whole that provides credible evidence based assessments and a respected source of independent advice that provides assurance to the Government and public.



# Key Findings Cont.

Existing oversight arrangements are significantly under resourced, and there are some significant gaps in how these arrangements currently function:

- Current levels of resourcing limit the capacity for system-level advocacy on all of the matters that are relevant to children and young people
- There has been an under investment in monitoring and assurance of the statutory care and protection and youth justice system, particularly at operational and service levels, and additional powers and resourcing are required

# Key Findings Cont.

- Complaints pathways within the Oranga Tamariki system for children, whānau and others are unclear, difficult to navigate (particularly for complex matters), and not child-friendly, resulting in a reluctance to complain, and a lack of confidence in the system
- Powers for independent systemic investigation that could be used to identify areas for improvement, have been constrained by limited resourcing
- Better representation of Māori views is needed across all elements of the care and protection system and independent oversight functions. There is insufficient knowledge of and focus on Te Ao Māori by agencies given the high proportion of Māori children and young people in the Oranga Tamariki system.

# Key Outcomes

As a result of the Sandi Beatie Review, in March 2019 Government agreed to strengthen the system of independent oversight of the Oranga Tamariki system and children's issues in three core areas:

- System level advocacy for all New Zealand children and young people, which will continue to be undertaken by the Office of the Children's Commissioner
- Oversight and investigation of complaints of matters related to the application of the Oranga Tamariki Act 1989 and/or children in the care or custody of the State, which will be undertaken by the Office of the Ombudsman
- Independent monitoring and assurance of the operations and obligations delivered under the Oranga Tamariki Act and associated regulations to be undertaken by an Independent Children's Monitor

As a result of the decisions to strengthen oversight, the Ministry of Social Development was appointed the Independent Children's Monitor from 1 July 2019 to establish and operate the monitoring function, with the in-principle intent that it is transferred to the OCC, once a robust monitoring function is established and a new legislative framework is in place

# The purpose of the Monitor

The purpose of the Independent Children's Monitor is to provide a credible view of the Oranga Tamariki system, highlighting areas that will drive continuous improvement that improves outcomes for tamariki and rangatahi, particularly tamariki Māori



# Phases of Work

The independent monitoring and assurance of the operations and obligations delivered under the Oranga Tamariki Act 1989 is phasing in over time:

- Phase one – initial monitoring from 1 July 2019, focused on information received on abuse and neglect in relation to children in care or custody and the response under regulations 69 and 85 of the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018
- Phase two – expanded monitoring by December 2020 focused on compliance with all aspects of the NCS Regulations
- Phase three – intended longer-term expansion, which would enable broader monitoring of the Oranga Tamariki Act and associated regulations

# Definition of the Oranga Tamariki System

The term “Oranga Tamariki System” is used to describe any agency services provided to children and young people under the Oranga Tamariki Act 1989, at any stage from the point of notification until the cessation of post-care transition. The Oranga Tamariki system includes all agencies that provide service to children in the Oranga Tamariki system, for example health, education and disability services, including non-government organisations.

# What we've done so far

- Engaged and connected with key stakeholders and Māori including the establishment of the Kāhui Group
- Working with the Kāhui Group who provide ongoing advice and guidance
- Completed our first report for the Minister for Children
- Progressing further policy decisions in preparation for new legislation.

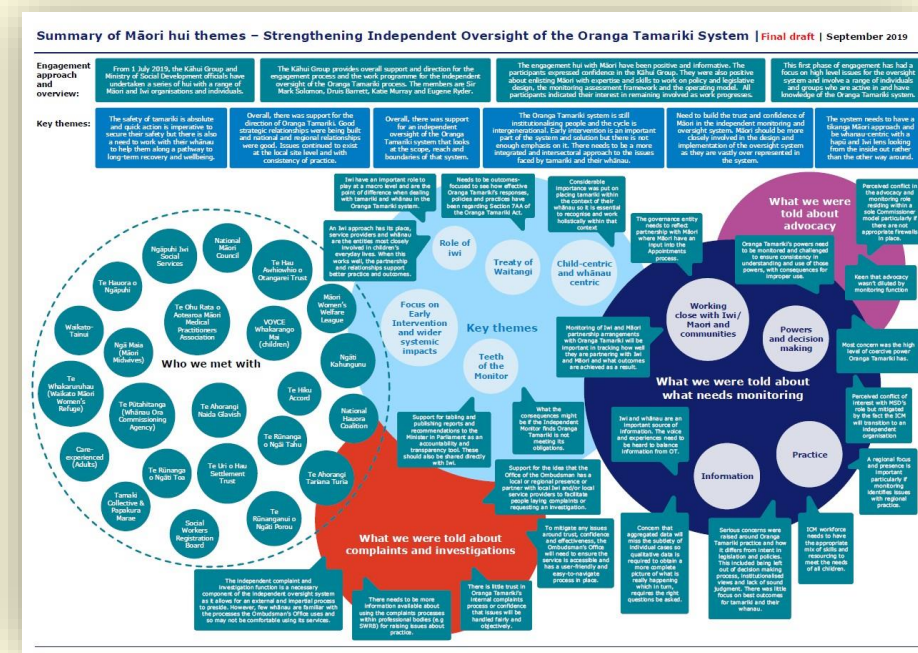




# Summary of Māori hui themes

## Key themes:

- Role of iwi
- Treaty of Waitangi
- Child-centric and whānau centric
- Focus on early intervention and wider systemic impacts
- Teeth of the Monitor



# What we've done so far cont.

- Mapped the NCS Regulations to the Government Child and Youth Wellbeing Framework as well as Te Puni Kokiri's whānau ora wellbeing framework, Oranga Tamariki's outcomes framework, including specific outcomes for tamariki Māori
- Starting to build our assessment framework including how we will measure compliance and assess continuous improvement



# Current Workstreams

- Legislation and Policy workstream
- Current monitoring and reporting
- Establishing the complete assessment approach based on outcomes for tamariki and rangatahi ready for December 2020 for full monitoring of the NCS Regulations

# Next steps

- We are working our way around New Zealand to hear what you have to say
- We will theme up your feedback from the hui and communicate this through our regular updates
- We will review feedback specifically around these hui to make sure we are continuously improving this experience for you.



# We want to hear what you think.

- You are on the ground in your community working with tamariki, rangatahi and whānau and we want to know what you think.
- Share your feedback through this hui
- Get in touch with us if you want to provide additional feedback  
[info@icm.org.nz](mailto:info@icm.org.nz)



# How can you keep updated?

- Subscribe to updates via the Independent Children's Monitor website. We will provide regular updates on work we doing to strengthen the Oranga Tamariki system. [www.icm.org.nz](http://www.icm.org.nz)

