



# Code of Conduct

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Aroturuki Tamariki | the Independent Children's Monitor (the Monitor), is tasked with providing a credible view of the Oranga Tamariki System. Our mahi includes highlighting areas that will drive continuous improvement and improve outcomes for tamariki and rangatahi, particularly tamariki Māori. The skills, expertise, and values that our kaimahi bring to their roles are vital to us doing our mahi well.

To understand if the Oranga Tamariki system is working for tamariki and whānau, we need to hear their experiences and views on what is going well and areas for improvement. To do this effectively, we must uphold their mana when we kōrero with them so that they feel valued and safe to share with us.

As part of our work, people and agencies trust us as kaitiaki (stewards) to protect the information they provide us. We know that when we speak with people in the community and when we receive data from other agencies, we are hearing and seeing people's personal stories and information. We treat this as taonga.

Relationships built on respect and trust, reciprocity, a common focus, and proactive engagement along with effective processes for talking, learning and working together, will contribute to successful outcomes.

This is why we have our Code of Conduct. It provides us with guidelines on how we go about our work and how to do this in-line with our organisational values. It is important that you're familiar with this code and read it regularly to remind yourself of its contents. It includes clear expectations about behaviour and conduct, and the consequences of not meeting these expectations.

## About the Code of Conduct

Our Code of Conduct tells you about the way we work. It doesn't cover every possible situation or requirement, but it does give us a benchmark to work from. We also have kawa and tikanga to guide our work and these give you more detail about the processes that we follow – you can find these on Te Mātāpuna.

Whether you are a permanent kaimahi, or are with us temporarily, this Code applies to you.

It is important you understand what is in this Code. If you don't meet the standards of conduct, your behaviour may result in disciplinary action. If you have any questions about any part of the Code and how it applies to your role, speak with your manager who will be able to provide guidance.

Our Code is also part of your employment terms and conditions. It must be read alongside your employment agreement, our kawa and tikanga, and the [Public Service Standards of Integrity and Conduct](#).

## **Our Values that underpin our professional conduct**

Our organisational values underpin all of the mahi we do. You will notice that our values are interwoven throughout the principles laid out in this Code. Our values are:

Kia Māia – We are courageous

We are brave, bold, capable and confident. This means we:

- stand up for what is right
- tell the truth, even when it isn't popular.

Manaaki – Respectful

We show respect and care for others. This means we:

- respect diversity of thought, action, and culture
- have a child-centred and te ao Māori perspective woven throughout our work
- look out for each other and make work a safe place for our colleagues.

Kia Pono, Kia Tika – Trustworthy

We are honest and genuine and do the right thing. This means we:

- admit when we don't know the answer
- cross-check our data
- do what we say we will and communicate in a timely manner if we can't.

Kia Huritao – Reflective

We are considered and reflective. This means we:

- learn from experience, value feedback, and always look for opportunities to improve
- take the necessary time to make the best decisions we can
- never assume we know what is best.

# Our Code of Conduct principles

## We treat everyone fairly and with respect

We respect the rights of all people, all the time. This includes any tamariki, rangatahi, whānau member, caregiver or professional we speak with as part of our monitoring. It also includes stakeholders, our colleagues and any other members of the public that we engage with as part of our mahi.

As part of this, we have some clear expectations for how we treat other people. This means, you must:

- treat all other kaimahi with respect and courtesy
- show manaaki and look after the dignity of all people you engage with as part of your role (this includes internal and external relationships)
- support a positive and safe work environment free from any form of bullying, harassment or discrimination (refer to our [Positive Workplace kawa](#))
- avoid acting in a way that could upset people, or cause harm or disruption
- not bring anything to work that could be seen as offensive to any person or group of people
- be mindful that any workplace relationships with other kaimahi don't have a negative effect on your work
- recognise our commitment to the Treaty of Waitangi and te ao Māori
- always be professional, fair and unbiased in the work you do, and in the advice you give
- remember that everyone has the right to privacy and confidentiality
- make sure you don't abuse your position at the Monitor, or any power delegated to you in your role.

## We are trustworthy

We are expected to act honestly. This means we are tika and pono in all areas of our work. We are an evidence-based organisation, and we cross check our data to make sure we are reflecting an accurate story. We tell the truth even if it is not popular and we show manaaki when we do it.

We must:

- be honest
- work to the best of our abilities
- ensure our actions are not affected by our personal interests or relationships
- never misuse our position for personal gain
- decline gifts or benefits that place us under any obligation or perceived influence
- avoid any activities, at work or outside work, that may harm the reputation of our organisation.

## **We must not use our position for personal gain**

At the Monitor, we have a range of roles, responsibilities and powers that enable us to carry out our monitoring functions. These powers must be applied, and the information we gather used, only for the intended purpose and in the intended way. We must always act in a manner consistent with our values, kawa, tikanga and this Code of Conduct.

## **Prior or pending convictions**

If you have a conviction we didn't know about before we hired you, or you weren't truthful about having a conviction, we may take disciplinary action which could result in dismissal.

This does not apply to anything covered by section 7 of the Criminal Records (Clean Slate) Act 2004.

You must tell your manager if you have any convictions or charges laid against you while you work for Aroturuki Tamariki.

## **We must ensure our mahi is not affected by our personal interests or relationships**

We must not allow our relationships (either workplace or personal) adversely affect our responsibilities. If you are aware of a potential, perceived or actual conflict of interest, raise this with your manager. You must obtain approval before you undertake secondary employment and not engage in any activity, paid or unpaid, which impinges on, or is likely to impinge on your official duties. You can find out more information in our Conflict of interest kawa and tikanga.

## **Gifts and rewards**

Receiving a gift or reward for doing your role could be seen as a bribe or as a way of making you obligated to another person or organisation. Consider the intention of the gift and whether it is related to a cultural practice. Some occasions (such as a hui) may require an exchange of gifts. We are committed to meeting the needs of different cultures and if a gift is offered in these situations, it must be accepted on behalf of the Monitor, and declared in our Gift Register.

## **We are impartial**

It is important in our role that we remain unbiased and impartial when engaging in monitoring visits, completing analysis of information, interpreting data and reporting our findings. This also means that any advice we provide, whether it be written or oral, will be based on information gathered in an open, responsive and ethical manner. Our findings and reporting are always based on robust evidence. We are never justified in ignoring our kawa and tikanga or interpreting government policy or exercising our decision-making responsibilities to suit our personal beliefs.

This means, we must:

- maintain the political neutrality required to enable us to work with current and future governments
- carry out the functions of our organisation, unaffected by our personal beliefs
- support our organisation to provide robust and unbiased advice.

## **Political neutrality**

While we work with the government of the day, we must also be able to work with future governments. This means we need to maintain the confidence of our current Minister and make sure the same relationship can be established with future Ministers. We do this by keeping politics out of our work and our work out of politics.

As public servants we have the same rights as other New Zealanders and may publicly express our own political or personal views. However, at the same time we need to work in a professional and politically neutral way.

You can be involved in social campaigns or the activities of political parties and other organisations without it affecting your ability to be impartial in the work you do. Talk to your manager about your actual or intended political involvement. It's important to consider what you can do to avoid a perceived conflict with your work. This may include steps so that you are not identified as working for the Monitor or taking annual leave if you need time off for activities you are involved in.

For members of the Executive Leadership Team and kaimahi who have extensive or consistent contact with Ministers, it is not appropriate to publicly express views about government policy related to your work area.

The Public Service Commissioner's guidance about political neutrality is available at [www.publicservice.govt.nz](http://www.publicservice.govt.nz) or you can talk to your manager if you have any questions about what this means for you.

## **Commenting on government policy**

It is important that you are mindful of what you publicly post or state. We may view any kaimahi who publicly make strong or repeated criticisms of government policies as being unable to impartially engage in our mahi.

For all kaimahi, publicly expressing your personal view of government policy is unacceptable if you:

- disclose information gained by your work at Aroturuki Tamariki
- are or could be perceived to be representing the Aroturuki Tamariki
- make personal attacks on a Minister, your colleagues or other Public Servants
- strongly or persistently criticise to the extent that it could be perceived that you cannot carry out your work in an impartial way.

Only people who are authorised by the Chief Executive or who have permission as part of their job can make public statements on behalf of Aroturuki Tamariki. This applies to

responses to any media enquiry. You can find out more in our News media, social media, speeches, publications and presentations kawa and tikanga.

### **Private communications with Ministers or Members of Parliament**

You have the same right to approach political representatives as any other person, but you must be clear that you are not representing Aroturuki Tamariki. Remember, any approach to a political representative about something that is not to do with the Monitor's work should be made with some sensitivity to your role as a public servant.

Any matters concerning Aroturuki Tamariki must go through the official channels.

### **Standing as a Member of Parliament**

Public servants can seek election to Parliament but there are rules about this set out in the Electoral Act 1993. If you are thinking about putting your name forward for nomination as a constituency candidate or for inclusion on a party list, or if you have already done so, tell the General Manager CSI or Chief Monitor. They will discuss this with the Chief Executive.

You can find more information about the Public Service Standards of Integrity and Conduct on the Public Service Commission website [here](#).

### **We are responsible**

We approach our mahi efficiently, effectively and with a spirit of service to the community. This means we learn from experience, value feedback, and always look for opportunities to improve both our own practice and organisational processes. Being responsible is also about safeguarding the information we gather from those we speak with in the community and from agencies who provide data to us. At all times we act within the scope of the power conferred on us in the Oversight of the Oranga Tamariki System Act 2022.

We must:

- act lawfully and objectively
- use our organisational resources carefully and only for its intended purposes
- treat information with care and use it only for proper purposes
- work to improve the performance and efficiency of our organisation.

### **Information and confidentiality**

We need to keep all information that we gather for monitoring purposes secure, including personal information about those we speak with in the community. How we treat this information (collect it, store it, share it and use it) affects how the public trusts us and whether they are willing to continue to share their information with us.

We have a number of procedures in place to protect information and to help us manage information appropriately.

If information is inadvertently or unintentionally released or disclosed, we act straight away to minimise any risks, or impact on people. Refer to our [Privacy breach kawa and tikanga](#) for more information.

You can find more of our privacy related kawa and tikanga on Te Mātāpuna.

### **Accessing information**

Each of us must take care to ensure information we gather for monitoring purposes is only accessible to authorised kaimahi for authorised use.

Make sure you always observe people's right to privacy when you are dealing with their personal information. This includes interview notes from community visits.

You must only access people's information or interview notes for legitimate work purposes. Just because it may be interesting to look at, does not mean it is a valid work purpose.

### **Misuse of information**

Misuse of information includes accessing, falsifying, requesting, or sharing of information without a business purpose.

If you are found to have misused or falsified any information that the Monitor holds, formal disciplinary action will be taken, which may include dismissal.

We have a zero-tolerance policy for the misuse of personal information. This includes all information provided to us directly by members of the community and provided to us by other agencies. Any kaimahi found to have sold or deliberately given information to any unauthorised person will be dismissed and the matter may be referred to police.

### **Probity**

When we deal with public money and resources, there is a standard of behaviour expected of us. This is called probity.

Probity means we have shown integrity and professionalism in using public money to do our work.

Probity isn't about setting a list of rules; it's about showing we have used good judgement and a sensible process to make decisions around how we spend money.

When spending public money, you can show probity if your expenditure:

- is reasonable
- demonstrates value for money
- is relevant to what we do, or to our goals
- can satisfy the questions of anyone who asks about it, including the public.

If you have questions about probity or how to apply it in your role, talk to your manager.

Our financial kawa and tikanga are also available on Te Mātāpuna.

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## **Breaches of the Code of Conduct**

We need to identify breaches or potential breaches of the Code as soon as possible. We will always make sure any disciplinary process is impartial, fair, prompt and consistent. We will consider each case on its merits, including reviewing the reasons for the breach and considering the individual circumstances of each case before deciding on the action to take.

### **Reporting breaches of the Code of Conduct**

If you find out about a breach or possible breach of either the Public Service Standards of Integrity and Conduct or this Code of Conduct, you must discuss the issue or situation with your manager as quickly as possible

If you are unsure about how to deal with an ethical issue, discuss it with your manager. If your manager is involved, discuss the issue with your manager's manager or any other kaimahi in the Executive Leadership Team.

If you need additional support, you can also access confidential counselling through the Employee Assistance Programme (EAP). This service is voluntary, free, confidential and available to all kaimahi. You can find more details on EAP [here](#).

Managers who are advised of a breach or a possible breach will deal with the alleged breach in accordance with the relevant kawa. Anyone alleging a breach or who is being investigated for a breach of the Code of Conduct will be given adequate notice of meetings, have an opportunity to be heard, and have the right to representation and/or a support person present at meetings.

### **Privacy breaches**

Refer to the 'Information and confidentiality' section above and Te Mātāpuna for reporting a privacy breach or near miss.

### **Reporting serious wrongdoing**

In some cases, a breach of the Code of Conduct may also be serious wrongdoing under the Protected Disclosures (Protections of Whistleblowers) Act 2022. If this is the case, you can follow our Protected disclosures kawa and tikanga to report the incident or action and receive the protections of the Act.