

Aroturuki | Independent Tamariki Children's Monitor

Reference: 23-0IAD-004

31 October 2023

Tēnā koe⁹⁽²⁾

Response to your Official Information Act Request

ormation Act 1981 Thank you for your email of 2 October 2023 requesting the following under the Official Information Act 1982 (the Act):

All information constituting substantive information, analysis, advice and recommendations in relation to the monitoring of the Oranga Tamariki System communicated between the Independent Children's Monitor and any Ministers and/or any government departments, such information being limited to any such information that has not been made publicly available through statutory requirements. The request dates to the period 1 July 2023 to 30 September 2023 and covers both written and verbal communication.

The scope of this request was determined to be substantive information, analysis, advice and recommendations in relation to the monitoring of the oranga tamariki system given to, or received from ministers and/or government departments between 1 July and 30 September 2023 that has not been made publicly available. Communications and information of an administrative nature have not been included in our response, as they are not substantive and not the type of information you are seeking.

There are four documents in scope of your request. You can find information regarding these in the attached document schedule.

Two documents are released to you in full. Two documents have been withheld under the following sections of the Act:

[T]he making available of that information would be likely – 6.

(c) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.

9(2)(ba) to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information—

(i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or

(ii) would be likely otherwise to damage the public interest;

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the withholding of this information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

A document relating to the development of our strategic intentions has been deemed out of scope of your request as it relates to our performance as a departmental agency rather than our monitoring of the oranga tamariki system. Our Statement of Strategic Intent will be made publicly available when it has been finalised with the Minister and has been tabled in Parliament.

Our Returning Home from Care report was released on 8 August 2023. Ministers only receive a copy of our reports once they are finalised. Any communication with ministers or departments regarding release of this report was either administrative in nature or contained information, such as summaries of the key findings or copies of agency responses, which we publish on our website <u>here</u>. For example, communications about the process for tabling the report in Parliament, and a memo that accompanied the final report that set out the key findings. As such, we consider they fall outside the scope of your request, and do not contain any substantive information. However, we can make these available to you if you would like.

We also process enquiries from members of the public which sometimes require communication between us and our oversight partners. These communications are about specific complaints or enquiries and exclude substantive information related to the monitoring of the oranga tamariki system so are considered out of scope of your request.

Note that the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: www.ombudsman.parliament.nz.

Please note that due to the public interest in our work, Aroturuki Tamariki publishes responses to requests for official information on our <u>OIA responses page</u>. If you have any queries about this, please feel free to contact us on info@aroturuki.govt.nz.

Ngā mihi nui,

Released under the provisions of the Official Information Act, 1982

Aroturuki Tamariki | Independent Children's Monitor

Document schedule

2 3	5 July 2023 3 August 23 18 August 23	23-BRF-005 Aroturuki Tamariki – The Independent Children's Monitor – Monthly Update May- June 2023 23-BRF-010 Aroturuki Tamariki – The Independent Children's Monitor – Monthly Update July 2023 Letter from the Coroner	Released in full Released in full Withheld	N/A N/A 6(c);
3		– The Independent Children's Monitor – Monthly Update July 2023	in full Withheld	ACT (c):
	18 August 23	Letter from the Coroner		6(0)
4 2			in full	9(2)(ba)(i and 9(2)(ba)(ii
	23 August 23	Response to the Coroner	Withheld in full	6(c); 9(2)(ba)(ii
eased un	derthepr	ovisions of the		

Document 1.



Aroturuki Independent Tamariki Children's Monitor

Briefing paper

Date: 5 July 2023

File reference: 23-BRF-005

Aroturuki Tamariki - The Independent Children's Monitor Monthly Update May-June 2023

Purpose

1. This aide memoire provides you with an update on Aroturuki Tamariki, the Independent Children's Monitor (Aroturuki Tamariki) for the period 1 May to 30 June 2023.

Summary and key points of interest

Programme summary

2. On 1 May 2023, the Oversight of Oranga Tamariki System Act 2022 came into effect, expanding our monitoring cole and establishing Aroturuki Tamariki as a departmental agency hosted by the Education Review Office (ERO). All required systems and processes are now in place, essential staff training is complete, and no major issues arose.

Organisational performance workstreams

- 3. Aroturuki Tamariki has contributed to the audit process for both the Ministry of Social Development, for the time period 1 Jul 2022 – 30 April 2023, and ERO, for the time period 1 May – 30 June 2023 by providing material for performance measure reporting. Information on outcomes achieved and our establishment as a departmental agency has also been drafted for the annual reports of both agencies.
- 4. The hearing with the Social Services and Community Committee for the Estimates Examination for the Appropriation within Vote ERO – Independent Monitoring and Assurance of the Oranga Tamariki System on 28 June went as expected. Aroturuki Tamariki provided responses to the Standard Estimates Questions for submission on 19 May. The list of pre-hearing questions was not received from the select committee, but responses had been prepared in advance in the event they were needed.

Monitoring operations

- 5. In May we completed our share back process in the Wairarapa and Waikato. We provided a report to those we spoke to in those regions summarising the insights we had gathered.
- 6. Planning is underway for our next monitoring visits, the first of which will take place in the Upper South region in August, then Taranaki and Manawatu in September. Our visit to the Manawatu will include visiting the Oranga Tamariki Youth Justice facility in Palmerston North, Te Au Rere. This will be the first time we have visited a Youth Justice facility as part of our regular monitoring work, and at a minimum, we will visit all youth justice and care and protection residences as part of our ongoing monitoring programme. These visits are additional to the Children and Young People's Commission's programme of planned and unplanned visits.
- 7. Work is underway to redesign our share back reports to ensure they meet the needs of those we engage with, including tamariki, rangatahi and whānau, and to include our wider mandate. We are currently surveying caregivers and kaimahi from service delivery organisations to gather feedback on the type and volume of information they would like to see in their redesigned report. Redesigned share back reports will be used to support our upcoming monitoring visits to Upper South, Taranaki/ Manawatu. Following these visits, we aim to gather feedback from tamariki, rangatahi and whānau on our use of the new template for their reports.
- 8. On 24 May, we provided our first deep dive report *Returning Home from Care* to you. This was also sent to the Minister for Children and the Chief Executive of Oranga Tamariki. The Oranga Tamariki response to the report is due on or before 7 August and will be published alongside the report on our website or before 22 August 2023. Discussions are underway with the Minister for Children's office regarding when the report will be tabled in the House of Representatives.
- 9. Our second deep dive report which looks at health and dental services for tamariki and rangatahi in care is progressing well with the Terms of Reference finalised. Registrations with general practitioners and annual health and dental checks was identified as an issue in our recent Experiences of Care in Aotearoa 21/22 report, and we hope this deep dive provides greater insight into what is working well as well as the barriers for young people in care.

Executive engagements and communications

- 10. On 2 May, we attended Whakamanawa 2023, the National Social Services Conference and along with the Ombudsman's Office and the Children's Commission, led a panel discussion on the Oversight System. The three of us used the opportunity to explain our roles, and how we work together.
- 11. We have established a kaimahi led Pacific Collective group to ensure we capture the voice and care experience of Pacific children, young people and their aiga/kāinga in our work. They meet on a regular basis and their priority is to develop a Pacific Framework. On 23 May, we met with Moana Connect to discuss how we may be able to work alongside them in understanding the impact of the system on Pacific communities. Discussions are underway for Aroturuki Tamariki kaimahi to participate in Moana Connect's Pacific Cultural training.
- 12. On 7 June 2023 Aroturuki Tamariki leadership met with our Māori Advisory Group, Te Kāhui. Enid Ratahi-Pryor *Ngāti Awa, Te Whānau-ā-Apanui,* was welcomed as a new member of the group and their Terms of Reference were confirmed. We discussed the work Aroturuki Tamariki is doing to prepare the next Experiences of Care in Aotearoa 22/23 Report, our first report on outcomes for tamariki Māori and their whānau, and our upcoming deep dive reports on Health and the Poutasi Review recommendations. The next Te Kāhui meeting will be in August, in our Ōtautahi tari.
- 13. On 21 June, Oranga Tamariki announced that two staff members were being investigated for sexual misconduct in two of their facilities. This resulted in media stories which revisited some of the arguments that arose when the Oversight of Oranga Tamariki System and the Children's and Young Peoples Commission legislation was being debated in Parliament. In response, Aroturuki Tamariki provided a media release to outlets on 22 June that provided some corrections, explained the roles of Aroturuki Tamariki, the Children and Young People's Commission and the Ombudsman, and clarified that with the Oversight of the Oranga Tamariki System Act now in place, there are now more eyes and ears in residences.
- 14. As a result of the media release, Radio New Zealand and NZ Herald requested interviews with Aroturuki Tamariki. Chief Executive Arran Jones took the opportunity to provide further information and clarification about the various roles of the oversight agencies, and the hosting arrangements between Aroturuki Tamariki and the Education Review Office.

15. Along with the Ombudsman and the Office of the Children's Commissioner we have agreed the terms of reference for how the Oversight Agencies will work together to strengthen the oversight of the Oranga Tamariki system. These are now signed by the three agencies and were in place for 1 July when the Children and Young People's Commission Act commenced.

Recommendations

16. It is recommended that you:

Noted 1) Note the content of this Aroturuki Tamariki orovisions of the Independent Children's Monitor Monthly Update which covers May-June 2023 2) Note that this update is recommended for Noted proactive release Arran Jones | Chief Executive Minister Sepuloni, Minister with responsibility for the Independent Children's Monitor 72023 Released

Attachment 1: A3 Summary – Aroturuki Tamariki Monthly Update May-June 2023

Released under the provisions of the Official Information Act, 1982

23-AM-005 Attachment 1.

Aroturuki Tamariki | The Independent Children's Monitor - Monthly Update May-June 2023

6		2023			2024				2025	2026				
) / E	Monitoring schedule	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2 Q3	Q4	Q1	Q2		
	schedule	Upper South	Taranaki Manawatu	Auckland	Canterbury		Plenty Plateau	Greater Wellington	Te Tai Tokerau	Waikato	Lower South	Hawkes Bay/ East Coast		
Engagement an	d communicati	١	Workstream summary:											
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Communications	 The Returning been provided Children and th Tamariki. The C the report is du will be publishe website or befor We provided a role within the to reporting by took place with 	to both the N e Chief Exec Dranga Tama e on or befo ed alongside ore 22 Augus media releas oversight sys media. Follo	Ainister for cutive of Orang ariki response re 7 August an the report on o st 2023. se clarifying ou stem in respon ow-up interview	a to d our • r se •	 Pacific children, young people and their aiga/kāinga in our work. Their current priority is to develop a Framework. Organisational performance G The Oversight of Oranga Tamariki System Act 2022 came into effect on 1 May 2023, expanding our monitoring role and establishing Aroturuki Tamariki as a departmental agency hosted by the Education Review Office (ERO). All required systems and processes are now in place, essential staff training is complete, and no major issues arose. Aroturuki Tamariki has contributed to the audit process for both the Ministry of Social Development, for the time period 1 Jul 2022 – 30 April 2023, and ERO, for the time period 1 May – 30 June 2023 by providing material for performance measure reporting. Information regarding the outcomes we have achieved and our establishment as 									
Programme summary:					a departmental agency has also been drafted for the annual reports of both agencies.									



• The Estimates hearing with the Social Services and Community Committee went as expected. Aroturuki Tamariki provided responses to the Standard Estimates Questions for submission on 19 May. The list of pre-hearing questions was not received from the select committee but responses had been prepared in advance in the event they were needed.



Aroturuki Independent Tamariki Children's Monitor

Briefing paper

Date: 3 August 2023

File reference: 23-BRF-010

Aroturuki Tamariki - The Independent Children's Monitor Monthly Update July 2023

Purpose

1. This briefing provides you with an update on Aroturuki Tamariki, the Independent Children's Monitor (Aroturuki Tamariki) for the period 1 to 31 July 2023.

Summary and key points of interest

Programme summary

- 2. On 1 July 2023, the Children and Young People's Commission Act 2022 commenced. Alongside the Oversight of Oranga Tamariki System Act 2022, the oversight system is now established.
- 3. Significant monitoring work is underway with work progressing to develop three reports, our Experiences of Care in Aotearoa report 22/23, our review of Access to Health and Dental Services and our report on the recommendations of Dame Poutasi's report *Ensuring strong and effective safety nets to prevent abuse of children*.

Organisational performance workstreams



Monitoring operations

- 5. We previously provided our first deep dive report *Returning Home from Care* to you, the Minister for Children and the Chief Executive of Oranga Tamariki. We will publish the report on 9 August, along with the Oranga Tamariki response.
- 6. Registrations with general practitioners and annual health and dental checks was identified as an issue in our Experiences of Care in Aotearoa 21/22 report. Our second deep dive report examines enrolments with primary healthcare providers and oral health services for tamariki and rangatahi in care, and access to annual health and dental checks as set out in the National Care Standards. The review aims to provide greater insight into what is working well, as well as identifying the barriers. Work is underway including engagements with:
 - cross-agency hui with Oranga Tamariki, Manatū Hauora (Ministry of Health), Te Whatu Ora and Te Aka Whai Ora at a national level
 - the Royal College of GPs and the NZ Dental Association
 - medical professionals such as clinical directors for oral health, GPs and Primary Health Organisations
 - cross-agency hui and a small number of hui with whānau and caregivers in Te Tai Tokerau (Kaikohe, Whangārei), Tāmaki Makaurau (Waitakere/Westgate, Orewa), Canterbury (Ōtautahi) and Lower South (Gore/Balclutha, Invercargill, Central Otago)
- 7. From 1 July, we are now visiting Oranga Tamariki youth justice and care and protection residences as part of our monitoring of the wider Oranga Tamariki system. These visits will be done as part of our regular community monitoring visits, and alongside the Children and Young People's Commission's ongoing role of monitoring residences under the Optional Protocol to the Convention against Torture (OPCAT). On Friday 4 August, as part of our Manawatu/Taranaki community visit, we are visiting Te Au Rere a te Tonga youth justice residence. We have been working with the Children and Young People's Commission as they have recently visited the residence and will share findings with them.

8. Our monitoring resources have been updated to reflect our expanded scope and to support engagement with additional audiences. We have updated our core documents; our tikanga approach, our monitoring approach, our outcomes framework and our system elements. These are available as content to support our monitoring kaimahi to explain our approach to those they engage with and have also been published on our website.

9. We have finalised and launched our Pātai Pākiki, which are the guiding questions we use to lead our conversations with tamariki, rangatahi, whānau, caregivers and agencies. Our Pātai Pākiki are the foundation for our monitoring work. They guide our monitors in their community engagements and support a consistent approach to the information we gather. These will also be published on our website.

Executive engagements and communications

- 10. Our preparation for the commencement of the Oversight of Oranga Tamariki System Act 2022 included workshops with representatives from Police national headquarters to inform development of our engagement approach for Police kaimahi in communities, and the tamariki, rangatahi and whānau they work with. Planning for the first community visits under our expanded role has included undertaking engagements with Police regional leadership to set up the relationship at a community level. Meetings have been scheduled with Police kaimahi who work with tamariki and rangatahi in the communities we are visiting, and we are also in the process of connecting with tamariki, rangatahi and whānau in these communities who interact with the youth justice system.
- 11. We are partnering with VOYCE Whakarongo Mai in the Upper South and Manawatu to get their assistance to facilitate tamariki and rangatahi with care experience to participate in interviews with our monitoring teams. A Relationship Agreement and Engagement Model has been drafted and we are currently preparing a proposal to develop into a letter of grant which will outline how the relationship will operate.
- 12. Along with the Ombudsman and the Office of the Children's Commissioner we have a terms of reference for how the Oversight Agencies will work together to strengthen the oversight of the oranga tamariki system. These were in place for 1 July when the Children and Young People's Commission Act 2022 commenced. Aroturuki Tamariki have received and referred several enquiries from the public to the Ombudsman, in line with the agreed referral process, reflecting the oversight system commitment to 'no wrong door'.
- 13. Our Chief Executive and Chief Monitor met with the Secretary of Education who invited us to introduce Aroturuki Tamariki to school leaders via the Ministry of Education's School Bulletin and early childhood leaders via the Early Learning Bulletin. The article appeared in the School Bulletin on 25 July and will appear in the Early Learning Bulletin on 8 August. We have had contact from two principals in Auckland and a Regional Health School leader in Lower Hutt with an interest in our work programme as a result of the article.

14. Our Chief Executive also met with Shane Graham, the Chief Executive Officer and kaimahi from Te Runanga o Ngāti Ruru in Nelson. The hui was an opportunity to discuss the role of Aroturuki Tamariki, and the groups that we are working with in our community visit. We have agreed to return later in the year, to share our insights from our visit.

Recommendations

15. It is recommended that you:

Noted 1) Note the content of this Aroturuki Tamariki -Movisions of the Main of the American Information N Independent Children's Monitor Monthly Update which covers July 2023 2) Note that this update is recommended for Noted proactive release Arran Jones | Chief Executive Hon Carmel Sepulori | Minister for Social Development and Employment 2023 Released

Attachment 1: A3 Summary – Aroturuki Tamariki Monthly Update July 2023

Released under the provisions of the Official Information Act 1982

23-BRF-010 Attachment 1.

Aroturuki Tamariki | The Independent Children's Monitor - Monthly Update July 2023

6		2	023	2024					2025	2026				
	Monitoring	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2 Q3	Q4	Q1	Q2		
	schedule Upper Taranaki South Manawatu			Auckland			Plenty Plateau	Greater Wellington	Te Tai- Tokerau	Waikato		Hawkes Bay/ East Coast		
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Communications	We met with the invited us to intr school leaders v Education's Sch childhood leader Bulletin. The arti Bulletin on 25 Ju Early Learning B had contact from	oduce Arot ia the Minis ool Bulletin rs via the E cle appear Ily and will ulletin on 8 n two princ	uruki Tamariki stry of and early arly Learning ed in the Schoo appear in the August. We ha	to • ol ave										
Programme sum	and a Regional Lower Hutt with programme as a nmary:	an interest	in our work		Oranga Tama Work is unde	ariki System / erway to deve	Act 2022, the lop our strate	oversight syst	and Statement of Inte or contribute towards	d. nt which outlines	the strategic			

Programme summary:



Work is underway to develop our strategic intentions and Statement of Intent which outlines the strategic objectives that Aroturuki Tamariki intends to achieve or contribute towards. Our information on strategic intentions is required to be provided to you within six months of our establishment as a departmental agency, on or before 31 October 2023. We have drafted a high-level strategy on a page which we have socialised with our Māori advisory group, Te Kāhui. Once we have incorporated their feedback, we will provide the draft to you in a separate briefing requesting your initial feedback and asking for any other matters you would like us to include.