



Reference: 24-OIAD-006

9(2)(a)

27 May 2024

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Response to your Official Information Act Request

Thank you for your email of 14 May 2024 requesting the following under the Official Information Act 1982 (the Act):

Under the official information act 1982 I request to know:

- 1. When your agency was founded.*
- 2. How many staff work for your agency?*
- 3. What regulation steps have been taken since you began to show any regulation of Oranga Tamariki as an agency or individuals?*
- 4. Annual statistics of complaints v outcomes?*
- 5. Your agencies complaints process for transparency?*
- 6. Capacity your agency has for remedies to resolve non compliance?*
- 7. Total agencies regulated by your agency for non compliance in an annual break down and the outcome/ findings?*
- 8. General time a complaint is taken to be dealt with?*
- 9. All steps that will be taken in this complaint regarding 4 social workers and clear breaches of the act neglecting my 2 Australian children (as confirmed by an s133 report writer in NOE from 7 March 2024)*

Please find below our responses to your questions.

1. *When your agency was founded.*

We were established in 2019 as a business unit of the Ministry of Social Development (MSD). Our role at that time was to monitor compliance with the National Care Standards Regulations, which took effect in 2019. On 1 May 2023, the Oversight of the Oranga Tamariki System Act (the Oversight Act) took effect, widening our monitoring role to the whole of the oranga tamariki system. This was when Aroturuki Tamariki, the Independent Children's Monitor, left MSD and became a departmental agency. We are one of three agencies that work together under the Oversight Act. The other two are: the Children and Young People's Commission, Mana Mokopuna, which advocates for the rights and wellbeing of children and young people in New Zealand, and the Ombudsman, which provides assistance with complaints.

2. *How many staff work for your agency?*

We employ 59 staff.

3. *What regulation steps have been taken since you began to show any regulation of Oranga Tamariki as an agency or individuals?*

Under the Oversight Act, we monitor how well the oranga tamariki system is supporting positive outcomes for children, young people, and their families and whānau who are receiving, or have previously received services through the oranga tamariki system. Because our focus is on monitoring the performance of the system as a whole, we do not investigate or process complaints about individuals or agencies. Individual complaints are dealt with by our Oversight Act partner, The Ombudsman.

4. *Annual statistics of complaints v outcomes?*

We do not process complaints about agencies offering services under the Oranga Tamariki Act. To date, we have received no complaints about our organisation. We have received eight complaints about other agencies, which we have referred to the Ombudsman to provide further assistance.

5. *Your agencies complaints process for transparency?*

Our website provides general guidance for the public about the ways they can make a complaint about an individual or agency, <https://www.aroturuki.govt.nz/contacts#getting-support>. When we receive a complaint about another agency or individual, we seek consent to refer it within two working days to the Ombudsman or, where appropriate, another agency listed under [section 56\(5\) of the Oversight Act](#). Details of the complaint are referred as soon as possible after consent being given to do so. The Ombudsman or other agency will then update us on its progress within 5 working days.

For complaints about our organisation, our administrative staff check for any feedback or complaints every working day and refer complaints to the General Manager, Corporate, Strategy, and Insights (CSI) within two working days. The General Manager CSI either

responds directly or refers it to another manager within two working days. When a complaint is referred to a manager, they have 13 working days to resolve it. The General Manager CSI is responsible for approving the outcome and recommendations of a complaint. The complainant must be contacted and informed of the outcome within one working day of the General Manager CSI approving the outcome and recommendations.

6. *Capacity your agency has for remedies to resolve non compliance? And 7. Total agencies regulated by your agency for non compliance in an annual break down and the outcome/ findings?*

We do not have the capacity under the Oversight Act to directly resolve non-compliance; that capacity and responsibility remains with the individual agencies. Our role is to carry out objective, impartial, and evidence-based monitoring of the oranga tamariki system as a whole. To do that, we gather data from the agencies that provide services and support to tamariki and rangatahi and their families, and we listen to the voices of those tamariki, rangatahi, whānau and caregivers receiving the services and support. We then report our findings through a range of publications that you can find on our website, here:

<https://aroturuki.govt.nz/reports>.

Under section 53 of the Oversight Act, we are able to report to our Minister if agencies are interfering or not complying with our monitoring work. We have not had to report any agencies for interference or non-compliance under section 53 since our establishment. We must also report if there is non-compliance with national care standards regulations. You can read the regulations that we monitor here

<https://www.legislation.govt.nz/regulation/public/2018/0111/latest/LMS56030.html>. You can find our reports on this monitoring here <https://aroturuki.govt.nz/reports#experiences-of-care-reports>.

7. *General time a complaint is taken to be dealt with?*

As mentioned in our response to question 4, we do not process individual complaints about agencies offering services under the oranga tamariki Act. We have also not received any complaints about our organisation. For complaints about other agencies, we refer those complaints to the appropriate agency without delay and within two working days, once we have received permission to do so from the individual laying that complaint.

8. *All steps that will be taken in this complaint regarding 4 social workers and clear breaches of the act neglecting my 2 Australian children (as confirmed by an s133 report writer in NOE from 7 March 2024)*

We contacted you on 14 May 2024 to offer you help to make sure your complaint was being addressed by the appropriate agency. If you would like us to forward your complaint to Oranga Tamariki and/or the Ombudsman directly, please let us know.

You have 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 [OIA responses page](#). If you have any queries about this, please feel free to contact us on info@aroturuki.govt.nz.

Ngā mihi nui



Arran Jones
Chief Executive

Released under the provisions of the Official Information Act 1982