



Aroturuki Tamariki

Independent Monitor of the Oranga Tamariki System

Code of Ethics

DRAFT FOR CONSULTATION

Code of ethics

Purpose

The purpose of our code of ethics is to outline the ethical guidelines and best practice principles that we follow when engaging with tamariki, rangatahi, their whānau, family and caregivers.

This document should be read together with other relevant legislation, rules, agreements and policies.

We commit to reviewing our code of ethics every two years and publishing it on our website.

Scope

This Code applies to all monitoring kaimahi employed or contracted by Aroturuki Tamariki, including those who already adhere to other codes established by their profession.

This Code sets standards of professional conduct and practice required of those employed by Aroturuki Tamariki whenever they engage in monitoring activities, whether it be with tamariki, rangatahi, their whānau, family, or caregivers.

Partnering with other agencies

Aroturuki Tamariki may partner with other agencies to engage with tamariki or rangatahi, whānau, family, or caregivers. These ethical standards apply to any person acting in the place of, or for, Aroturuki Tamariki.

Role of Aroturuki Tamariki

We check that organisations supporting and working with tamariki, rangatahi, and their whānau or family are meeting their needs, delivering services effectively, and improving outcomes.

We monitor compliance with the [Oranga Tamariki Act](#) and the associated regulations, including the [National Care Standards](#). We also look at how the wider system (such as early intervention) is supporting tamariki and rangatahi under the [Oversight of the Oranga Tamariki System Act](#).

We recognise that tamariki and rangatahi are at the heart of this system, and place value on how they view the impact of the system on their lives, their whānau, family, and their communities.

Our commitment to Māori

Through our work, we are committed to improving the lives of tamariki and rangatahi Māori, enabling them to realise their potential and aspirations with the support of their whānau, hāpu, iwi and communities. You can read more about our tikanga approach [here](#).

Our values

The following values represent how we behave every day, with each other, and with those we are working with:

- **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 all 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 always attempt to 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 that we know what is best.

- **Kia Māia – 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.

Principles

The following principles guide our engagements:

- **The best interests of tamariki and rangatahi are a primary consideration**

This means we will be child and family/whānau centred in the work that we do. We will put the outcomes of tamariki and rangatahi in the system at the heart of our work and decision-making. We recognise the intrinsic value and inherent dignity derived from the whakapapa of tamariki and rangatahi, and the significance of their belonging to a whānau, hapū, iwi, or family group.

- **Tamariki and rangatahi, whānau, family, and caregivers have a right to participate**

We believe that tamariki and rangatahi, whānau, family and caregivers have the right to share their views, and to have a say in things that affect them. Tamariki and rangatahi are at the centre of the work we do. We will seek and reflect their views, as well as those of their whānau, family, communities and professionals who work with them.

- **All people will be respected**

All people have the right to decide whether or not they want to talk to us. We will always seek consent prior to engagement. We will tell people why we want to talk to them and how we will use any information they choose to provide.

We will treat everyone that we engage with, with respect and honesty. We value what people have to say and believe it is a privilege to hear their experiences and views.

We will speak to tamariki and rangatahi in a way that recognises their age and development.

- **Uphold the mana of Māori**

We will recognise the mana of whakapapa for tamariki and rangatahi Māori, their whānau, hapū and iwi in our work. We will take the time to listen, understand and make connections. We will be mindful of, and seek to understand, the context and circumstances of tamariki and rangatahi Māori, their whānau, hapū and iwi.

Engaging with tamariki, rangatahi, whānau, family and caregivers

Capturing the voices of those who are experiencing the oranga tamariki system is a critical part of our work and we will actively seek to give them the opportunity to express their views.

Prior to engaging we will:

- be familiar with our Child Protection and Privacy Policies
- consider the cultural, physical and emotional safety needs of those we are engaging with
- obtain informed consent,
- make sure that the adults talking with tamariki and rangatahi in particular, are experienced, safe and where appropriate have been children's worker safety checked¹.

We recognise that tamariki and rangatahi in care or custody under the Oranga Tamariki Act have a higher than usual risk of having experienced trauma.

'Connectors' are used to assist us to engage safely and meaningfully. This means that we will seek assistance from trusted supports within the relevant communities to establish connections and provide pre- and post-engagement support, as necessary.

A connector may already be providing support or services to tamariki, rangatahi, whānau, family or caregivers in the oranga tamariki system. They will assist them to understand the role of Aroturuki Tamariki so they can decide whether they want to engage with us.

Before engagement

We will carefully plan contact before engagement.

- **We will support people to make informed decisions about participation**

We will provide information to help those we are engaging with understand who we are and why we want to engage with them. We will explain the limits of confidentiality, and that we may disclose information in line with our Child Protection Policy if it is necessary to reduce risk of harm. We will seek the consent of those we are engaging with prior to participation and will respect their right to withdraw their consent at any stage.

- **We will seek to understand the needs of those we engage with**

We will design our engagement in a way that helps those we are engaging with to share their views. For tamariki and rangatahi this will mean working together with people who know them so that they can engage safely and meaningfully. We will consider age, development, any disability and accessibility needs when planning our engagements, and factor this in when determining the setting. We will seek to understand the impact that experiences of trauma can have on how tamariki and rangatahi engage. If beneficial for tamariki or rangatahi, we can arrange an online pre-engagement meeting or phone call with them so they are able to meet our kaimahi ahead of the in-person engagement.

¹ Refers to Children's worker safety checking requirements outlined in Part 3 of the Children's Act 2014

- **We will recognise and respond to cultural needs**

We will seek appropriate advice and support when preparing to engage with people from diverse cultural backgrounds. Where possible we will match tamariki or rangatahi with kaimahi who are best placed to understand and respond to their cultural needs.

- **We will provide adequate resources for engagement.**

As appropriate, we will cover expenses associated with travel costs and cultural practices.

During engagement

During the engagement, we will create a safe and inclusive environment so people feel comfortable to share their experiences and views.

- **We recognise the importance of establishing relationships**

We will try to get to know those who we are engaging with, build connections and create an inclusive environment. We acknowledge the role of kai in showing manaakitanga and helping to build connections and whakawhanaungatanga, and so provide kai (or resource for it) in our engagements.

- **We explain the process**

This will include explaining how long the engagement will last and what will happen when it finishes. We will let those we are engaging with know that they can ask questions, choose how much information they want to share, and that they can stop the engagement or withdraw their consent at any time and there will be no negative consequence.

- **We provide a comfortable and welcoming environment**

We will make sure the environment is safe and suitable for the planned activities.

- **We provide different ways to communicate**

We will make sure the way we engage is appropriate, taking into account age (for tamariki and rangatahi), development, any disability and accessibility needs. We will seek appropriate advice and guidance as necessary, and we will cater for different ways that people may wish to express themselves.

- **We respond to what people need in the moment**

We will actively listen, be fully present, and respond to what they need in the moment. We will 'check in' regularly during the engagement and remind them of their ability to withdraw their consent to participate at any time. We will always accept and respect their decision to stop participating if they choose.

- **We listen without judgement**

We will allow people to talk in their own way about things that are important to them. Aroturuki Tamariki will maintain flexibility and be responsive to the individual needs of tamariki or rangatahi involved, taking into account their age and stage of development.

- **We are prepared to change or stop the engagement based on what those who we are engaging with need**

We look out for non-verbal signs that people may no longer be comfortable or may want to end the engagement. We will change or stop the engagement if tamariki and/or rangatahi

appear anxious or upset or indicate they do not wish to continue. We will ensure people we engage with are able to access support if required after the engagement.

- **We provide assistance or support if required**

We will respond if anyone we are engaging with asks for help or assistance. This may mean we seek advice or refer them to someone else who can assist.

- **We let people know what to expect next**

We let those who we are engaging with know how we will use the information they have provided us, and when and how they can expect to receive the shareback.

After engagement

After engagement we will ensure the voices of those we have spoken to are reflected in our reporting. We will report insights, themes and patterns where appropriate, and ensure information is used in accordance with our Information Rules. Our reports will not include any information that will identify any individual.

Seeking consent

We acknowledge that tamariki, rangatahi, whānau, family and caregivers have the right to choose whether they will engage with us or not and will get their informed consent before any engagement.

We will presume that they are competent to provide informed consent, unless there is clear reason to doubt that that is the case. Where tamariki or rangatahi lack the capacity to give informed consent, we will obtain consent from their caregiver. When assessing the competence of tamariki or rangatahi to provide informed consent, we will consider the type of information we are seeking and the age and development of individual tamariki and rangatahi.

Information

We will provide information to those we are engaging with ahead of the planned engagement. This will give them an opportunity to consider the information and determine whether they wish to participate. We will encourage tamariki and rangatahi to speak to a trusted adult about the information and ask any questions they may have.

The information will be available in a range of ways and use simple and clear language. It may include the following information:

- Who we are and what we do.
- What we want to talk to them about.
- How long the interview/engagement will take and how their views will be captured/recorded.
- Confidentiality, anonymity, and the limits to confidentiality.
- What we will do with their views/information.
- That they can withdraw from the engagement/interview at any time.

Just prior to the engagement, we will have a conversation about the purpose of the engagement, verbally outline the key details of what will be discussed, offer a chance to ask any questions, and seek their consent again to participate.

At the end of the engagement, we will provide a voucher in recognition of the time and information that they have shared with us.

Privacy and anonymity

Our reports will not identify individuals. We will store all information we obtain safely. We will not share information that identifies anyone and will be open about any proposal to share information that does identify anyone.

We may disclose information where it is necessary to protect a person from harm. If we do so, we will disclose the minimum amount of information necessary to address the risk of harm.

Withdrawing consent

We will advise all those who we engage with that they can withdraw their consent to participate at any time. We will reiterate this and 'check in' regularly throughout the engagement. If consent is withdrawn during or after an engagement, we will confirm if there is any information they are happy for us to use. Any information they are not happy for us to use will be deleted and not used by us.

There may be occasions when consent cannot be withdrawn; for example, following an anonymous online survey once the answers have been submitted, or once information has been de-identified at the end of a regional visit. In these circumstances we will communicate this to the relevant people.



Definitions

Care or custody, in relation to a child or young person, means being subject to an order for custody or sole guardianship or to a care agreement, in favour of (or naming as the carer) the chief executive of Oranga Tamariki–Ministry for Children, an iwi social service, a cultural social service, or the director of a child and family support service, as the case requires,

Caregiver means a person in whose care a child or young person is placed by the chief executive. This includes a whānau or family caregiver but does not include a parent or guardian of the child or young person.

Connector is a broad term used to describe a person, organisation or agency that assists Aroturuki Tamariki to identify and connect with tamariki, rangatahi, whānau, family or caregivers. The connector may in some circumstances assist in the facilitation of monitoring activities. The connector may also provide or facilitate appropriate pre- and post-monitoring support.

Harm includes physical, psychological, emotional or sexual harm.

Oranga tamariki system means the system that is responsible for providing services or support to children, young people, and their families and whānau under, or in connection with, the Oranga Tamariki Act 1989.

Rangatahi are young people of or over the age of 14 years but under the age of 18 years.

Tamariki are children under the age of 14 years.

Trauma is an event, causing significant fear and distress and/or physical injury. Experiences of trauma can impact on how a child or young person engages; for example, they might need more time to feel safe with new people, may have difficulties concentrating or may display particular behaviours to avoid answering some questions.

Whānau means a member of a child or young person's whānau, hapū, iwi, or family group with a whakapapa connection.