
Independent Children's Monitor

The monitor
for the
Oranga Tamariki
system

Agency Compliance with Regulations 69 and 85 of the Oranga Tamariki (National Care Standards and Related Matters) Regulations



June 2020

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Introduction

Poipoia te kākano kia puāwai Nurture the seed and it will blossom

If a person had said at the time of publishing the Independent Children's Monitor's initial report in January of this year that the world would be a very different place at the time of publishing this second report, it would have been hard to believe.

While it is true and the world, including New Zealand, is markedly different, many challenges remain the same in the COVID-19 environment, including caring for children in State care or custody.

The Monitor would like to acknowledge the impact the last few months has had on individuals, whānau, businesses, communities, and those who lost jobs and loved ones. It also recognises the amazing strengths that came out of people banding together, and thanks everyone who worked tirelessly to support those in need.

The Monitor was established one year ago, as part of a response to strengthen oversight of the Oranga Tamariki system, with the primary focus on assessing the performance of agencies who hold the care and custody of tamariki and rangatahi in State care.

The Monitor is pleased to present its second report amidst the current context within New Zealand. With restrictions, social distancing and "bubbles" becoming the norm and agencies focusing on families and operational demands, they were still able to focus on their most vulnerable, as well as provide the Monitor with the information needed to produce this report – a real accomplishment on their behalf. Me mihi ki a koutou mō ngā pukumahi katoa i roto i ēnei wā rerekē. Thank you for all of your hard work during these unusual times.

As the Monitor celebrates one year of establishment, we acknowledge we are just beginning the journey, with the mahi as important as ever. We continue to build the operational arm and the tools to work with those in the community to be ready to monitor the full Oranga Tamariki National Care Standards and Related Matters Regulations 2018 from December this year, with the voices of tamariki, rangatahi and whānau at the forefront of what we do.

The Monitor looks forward to the coming months and engaging with front-line staff, iwi and Māori and communities as we build towards the next phase of our mahi.

It takes a village to raise a child, and we thank you all for your support, advice, guidance and commitment to helping us ensure that agencies who look after our tamariki and rangatahi are doing what they need to, to enable them to reach their potential and thrive.

Arran Jones, Executive Director



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Executive Summary

Purpose of the Report

This report provides the Minister for Children and the New Zealand public with an update on the extent to which the four agencies who have care or custody of children are compliant with regulations 69 and 85 (and to the extent that it applies, regulation 86) of the National Care Standards (NCS) Regulations 2018 (Appendix One). The Independent Children's Monitor's (the Monitor's) initial report, completed in December 2019¹, provided a baseline understanding, drawn from data and information from 1 July to 30 September 2019, of compliance with the NCS Regulations. The current report provides an overview of the six-month period from 1 July to 31 December 2019 and uses the information, data and analysis provided by each of the four agencies as follows:

- quarter one (first quarter) from 1 July 2019 to 30 September 2019
- quarter two (second quarter) from 1 October 2019 to 31 December 2019.

The Monitor notes that the data relied upon in this report has been provided by each of the agencies and has not been gathered from other sources.

Background on the Role and Function of the Monitor

The Monitor was established on 1 July 2019. The current role of the Monitor is to focus on agency compliance with the NCS Regulations, which provide standards for those agencies caring for tamariki (children) and rangatahi (young people) in State care. The intended role of the Monitor is to monitor the Oranga Tamariki system. The Oranga Tamariki system² is used to describe services provided to tamariki and rangatahi 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 services to children in the Oranga Tamariki system; for example, health, education and disability services, including non-government organisations (NGOs).

¹ The initial report can be accessed on the Monitor's website www.icm.org.nz

² As defined in the Cabinet Paper 2019 – Clarification of Policy Matters to Support the Oversight of the Oranga Tamariki system and Children's Commission Legislation Bill, the term 'Oranga Tamariki system' is used to describe not only the early intervention, statutory care, protection, youth justice and transitions support systems as outlined in the Oranga Tamariki Act 1989, but also other agency services provided to children and young people under the Act (for example health, education and disability services, including by NGOs). It also includes services provided by Children's Agencies to the core populations of interest to Oranga Tamariki as defined under the Children's Act 2014, including children who have early risk factors for future involvement in the statutory care, protection and youth justice systems.

The Monitor carries out its role by monitoring, assessing and providing assurance of the extent and quality of compliance under the Oranga Tamariki Act 1989 and the associated NCS Regulations.

There are four agencies in New Zealand who currently hold care and custody of tamariki and rangatahi. They are Oranga Tamariki and three Approved Organisations – Open Home Foundation, Dingwall Trust and Barnardos (the agencies).

The Monitor's independent monitoring function is being phased in over time. Phase One started on 1 July 2019 and, as per regulations 69, 85 and 86 of the NCS Regulations, focused on:

- information disclosed to Oranga Tamariki and Approved Organisations passing on concerns in relation to a risk of harm caused by abuse or neglect of a child or young person in care or custody
- the response by Oranga Tamariki or the relevant Approved Organisation to such information
- the provision of information to the Monitor in relation to these matters
- Oranga Tamariki and Approved Organisations' compliance with their self-monitoring obligations, to the extent relevant to the matters above.

The Requirement for the Oranga Tamariki system to Self-monitor

The Oranga Tamariki Act 1989 and NCS Regulations clearly stipulate requirements that must be met for tamariki and rangatahi in care. Regulation 86 requires the chief executive and an approved organisation with tamariki or rangatahi in their care or custody to monitor their own compliance with the NCS Regulations.

The agencies' self-monitoring systems must be designed to ensure the collection of information that will support the Monitor to fulfil its monitoring role and that those systems provide for continuous improvement and address areas of practice that require improvement. It is also necessary for Oranga Tamariki and the agencies to define the NCS Regulations in order to understand what compliance looks like and how they are measuring it.

It is the Monitor's role to objectively assess compliance with the delivery of the Oranga Tamariki Act 1989. The Monitor is therefore reliant on agencies having the necessary assurance systems and processes in place, as well as the ability to supply the Monitor with information that is necessary for it to carry out its functions.

High-Level Summary Findings

While this report provides an overview of the six-month period from 1 July to 31 December 2019, the high-level summary findings reflect data only from the second quarter, 1 October to 31 December 2019. High-level summary findings for the first quarter are in the Monitor's initial December 2019 report.

Regulation 69 outlines the duties of each agency in relation to allegations of a risk of harm caused by abuse or neglect of a child or young person in care or custody. Regulation 85 outlines the requirement of each agency to provide data and information to the Monitor about reports of abuse or neglect that the chief executive has received under regulation 69, and how the agency has responded to these. Regulation 86 requires that the agency must monitor its own compliance with the regulations.

All four agencies are compliant with regulations 69, 85 and 86 from a policy and procedure perspective.

Barnardos and Dingwall Trust reported that they did not receive any allegations of risk of harm caused by abuse or neglect and therefore testing their compliance with those regulations was not required for this report.

There was one allegation of abuse or neglect about a child in the custody of Open Home Foundation. Based on the information provided, its practice complied with regulations 69 and 85.

Oranga Tamariki reported it received 392 allegations of risk of harm caused by abuse or neglect regarding tamariki and rangatahi in its care or custody. In 136 cases, a decision was made either at the National Contact Centre or a local site that no further assessment was required.

Oranga Tamariki provided information to the Monitor about the 253 allegations with a finding³ that had been reviewed by the Safety of Children in Care (SoCiC Unit). Regulation 69(2) imposes four duties in relation to allegations of abuse or neglect and Oranga Tamariki was partially compliant overall. It has been successful in ensuring a child's plan was reviewed (90 percent compliance) and there was improvement in reviewing caregiver plans and providing support. However, a significant focus and improvement is needed in the timeliness of investigations and assessments and in letting tamariki and rangatahi know about the outcome.

It is acknowledged this is only a three-month period and trends and patterns cannot be drawn. It is also acknowledged that practice change takes time to embed.

³ Findings include physical abuse, sexual abuse, emotional abuse, neglect, behavioural/relationship difficulties and 'not found'.

Continuous Improvement Observations

Each agency was required to provide to the Minister for Children a response on the Monitor's initial report⁴, and they have also reported to the Monitor on their ongoing continuous improvement programmes.

The three areas highlighted in the Monitor's initial report have been updated and further work has occurred in each agency to focus on tamariki Māori and their own self-monitoring processes.

A key area of focus for the Monitor was the self-monitoring processes at the Oranga Tamariki National Contact Centre and local sites regarding allegations of abuse or neglect of tamariki and rangatahi in care.

When an allegation is made, the National Contact Centre makes an initial assessment using the Decision Response Tool to determine an appropriate response. The decision is then quality checked by a supervisor. The same first line of assurance is used at sites. As the SoCiC Unit only looks at cases for children in care or custody where a finding is confirmed, Oranga Tamariki advised that as of March 2020 it was strengthening its assurance process by reviewing a sample of cases that were resolved at the National Contact Centre or at a site. The Monitor will seek evidence of this for the November 2020 report.

Oranga Tamariki also advised that a weekly report, identifying all tamariki in care or custody who have been the subject of a Report of Concern (notification), is reviewed nationally and regionally to ensure that appropriate action is taken.

In the previous report, it was highlighted that there appeared to be a lack of clarity by some agencies as to what situations may be defined as abuse or neglect. Oranga Tamariki has met with each agency to clarify what constitutes an allegation of abuse or neglect for a child in care or custody.

A further area identified in the initial report was the definition of an outcome for tamariki or rangatahi. The Monitor suggested that this be broadened beyond the outcome of the investigation or assessment. In its response to this point, Oranga Tamariki stated that from 1 July 2019 new "All About Me" plans and "caregiver support" plans provide social workers with a much stronger mechanism to explore tamariki and caregivers' needs following an incident of harm. Oranga Tamariki has added additional assurance processes to sample these cases to see what supports are put in place over a twelve-month period.

⁴ Copies of the agencies' response to the Minister for Children are available on the Monitor's website.

Future Focus

Areas of future focus were highlighted in the previous report. Information and updates have been received from all the agencies to show where work has been completed, is currently underway or will remain as a focus for the November 2020 report. Where appropriate this information has been included in the findings section of the report related directly to one of the questions. Further information in response to those areas is included in Appendix Two.

The Monitor's third report, an annual report due in November 2020, will use data for the full 12-month period from 1 July 2019 to 30 June 2020. The Monitor will seek to validate the information and data provided for this period through fieldwork and triangulation activity and expects to provide further comment on the current practice within communities.

This annual report will be the final report based solely on regulations 69 and 85 with the Monitor beginning to monitor the full NCS Regulations from 31 December 2020, with its next report to be completed by December 2021.

Areas of focus for the Monitor's November 2020 report will include:

- seeking information on assurance processes regarding decision-making at the National Contact Centre and sites
- information from each agency on assurance processes regarding support for tamariki after making an allegation
- detailed assurance information and any action plans as a result of quality practice assurance relating to regulation 69
- case validation and analysis of raw data to further understand compliance with regulation 69
- any specific initiatives that have been implemented to improve compliance, and therefore support better outcomes for tamariki and rangatahi.



Update on the Establishment Activities of the Independent Children's Monitor

Development of the Outcomes Framework

The Outcomes Framework (the Framework) represents the Monitor's perspective of what matters for tamariki, rangatahi and whānau in the Oranga Tamariki system, now and into the future. It will initially be used to measure outcomes for tamariki and rangatahi in relation to the delivery of the NCS Regulations. The Framework provides:

- assurance that tamariki and rangatahi in the care and custody of the State are being appropriately cared for in line with the NCS Regulations
- an indication that positive outcomes for tamariki, rangatahi and whānau wellbeing are being achieved.

The Monitor has taken an outcomes-based approach and holistic te ao Māori lens towards the development of the Framework. It draws on the Government's six wellbeing outcomes from the Child and Youth Wellbeing Strategy and incorporates key dimensions from the Whānau Ora Outcomes Framework and the Oranga Tamariki Outcomes Framework.

The development of the Framework has also been informed by the Monitor's recent series of regional hui with Māori communities, as well as Māori and child-youth centred models including:

- UNICEF's Te Hiringa Tamariki report: A well-being model for tamariki Māori
- Te Puni Kōkiri's Rangatahi Suicide Prevention Fund
- Tā Mason Durie's Te Whare Tapa Whā model of health
- Office of the Children's Commissioner's Mana Mokopuna Approach.

The Framework is strengths-based, taking a positive youth development approach. It is focused towards building on the strengths of Māori and incorporates notions of responsibility and reciprocity to help ensure tamariki, rangatahi and whānau are active participants. It is whānau-centred and reflective of the diverse realities of Māori. The Framework is designed to be inclusive and encompasses the diversity of culture and ethnicity of all participants in the Oranga Tamariki system.

It includes six outcomes, each with principles setting out a high-level definition and indicators that track towards wellbeing. A set of measures is in development for each outcome focused initially on measures to monitor the NCS Regulations.

The Outcomes Framework is available on the Monitor's website.

Community Engagement

The Monitor hosted 19 regional community hui between 22 January and 16 March 2020. The hui were to introduce the Monitor, as well as share decisions already taken by Government and work completed so far. The hui were also designed to understand how those who work in the sector and those who come into contact with the Oranga Tamariki system would like to engage in the development of the Monitor's functions in the future. A focus of the hui was to provide a greater understanding of the role of the Monitor, Office of the Children's Commissioner and Office of the Ombudsman, and how they are strengthening independent oversight of the Oranga Tamariki system.

More than 500 people attended the hui, including providers of services, Māori-focused organisations, government agencies and children's professionals, to understand more about the Monitor's role. Over 140 participants expressed an interest in being involved in future workshops. A survey was sent to these participants in late May to understand more about them and the areas they are interested in assisting the Monitor to develop. Follow-up engagement with interested participants is now underway through webinars, and small group engagements with visits to occur over the coming months.

Information from the hui is available on the Monitor's website⁵.

Developing the Assessment Approach

The Monitor is developing its Assessment Approach, which is the overarching framework the Monitor will use to fulfil its monitoring functions and includes the:

- assessment matrix – which uses the outcomes and key system elements against which key agencies will be monitored to inform the various reporting products required of the Monitor
- assessment plan – developed for a specific reporting activity outlining the information, self-monitoring and assurance and data required from the relevant agency/ies and the engagement anticipated, including who will be visited and for what purpose
- monitoring programme – the schedule of monitoring and locations/communities the Monitor expects to cover within a given time period
- ethics framework – including interim guidelines for engaging with tamariki and rangatahi, whānau and caregivers, as well as associated information management and privacy codes and requirements.

⁵ Information about the hui can be found on the Monitor's website at the following link: www.icm.org.nz/what-the-monitors-doing/engagement

The Assessment Approach and associated tools, policies, practices and processes required to support the Approach will encompass:

- all stakeholder lenses (for example tamariki and rangatahi, family and whānau, whānau and non-whānau caregivers, care providers, iwi and Māori organisations and other government and community agencies), as well as
- the Monitor's reporting activities – the Approach is being built to accommodate the requirements under the proposed new legislation.

The Monitor has been working with the four agencies who have custody of children in care, the Office of the Children's Commissioner and other key sector groups and interested agencies to develop the Approach to ensure it will appropriately allow for and capture their experiences and perspectives and those of their clients. This development work is on-going, and its success also relies heavily on working with Māori communities. The Monitor is being supported by the Kāhui, its Māori Advisory Group⁶.



⁶Information on the Kāhui group can be found at the following link: <https://www.icm.org.nz/what-the-monitors-doing/>

Context

There are currently four agencies in New Zealand that have care and custody of tamariki and rangatahi. The government agency Oranga Tamariki, has the majority of tamariki in its care and custody. As at 31 December 2019, there were 6,373 tamariki and rangatahi in the care and custody of Oranga Tamariki, including both care and protection and youth justice⁷.

Data provided by the agencies shows they had the following number of children in their care or custody.

	Open Home Foundation	Dingwall Trust	Barnardos	Oranga Tamariki
Tamariki and rangatahi in care and custody	125	2	3	6,373

Table One – numbers of children in the custody of provider agencies and Oranga Tamariki as at 31 December 2019.

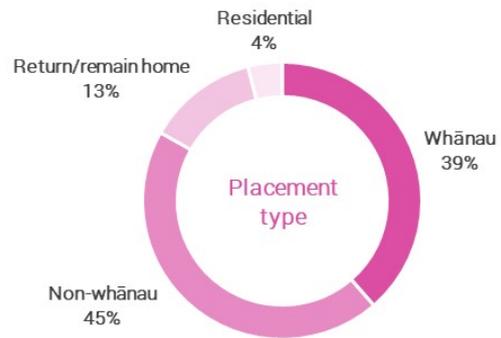
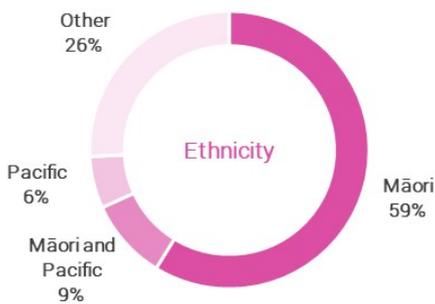
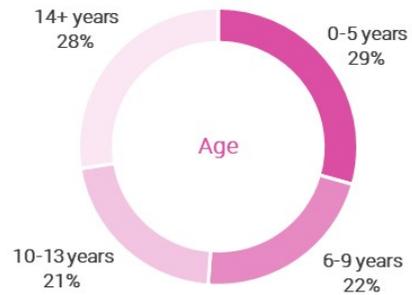
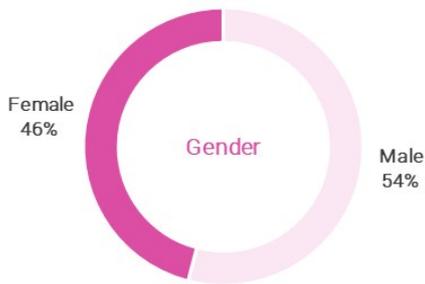


The Monitor requested demographic data from each of the four agencies to understand the characteristics of the tamariki and rangatahi in the care system. Given the very small number of tamariki and rangatahi in the custody of two of the agencies, demographic data is only shown for those in the care or custody of Oranga Tamariki and Open Home Foundation.

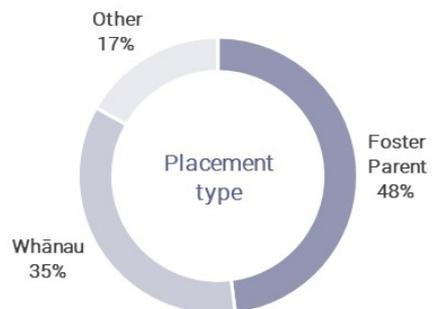
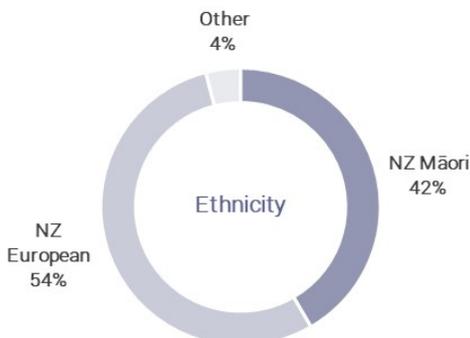
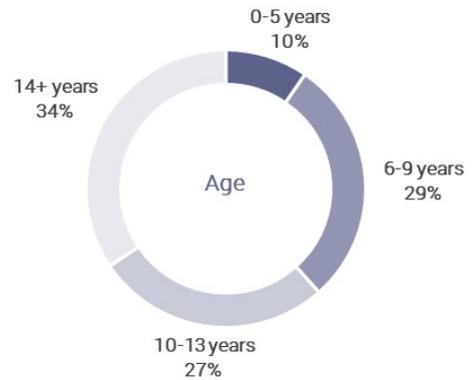
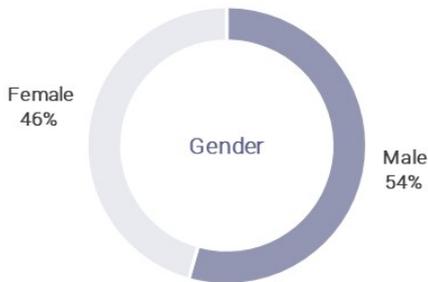
The demographic data for Oranga Tamariki shown in the diagrams over the page includes the number of tamariki or rangatahi that have entered and exited care during the reporting period rather than those specifically in care or custody on 31 December 2019.

⁷ The total number of children in the custody of Oranga Tamariki for care and protection reasons is 6,169 and those under youth justice custody is 204.

Oranga Tamariki demographics



Open Home Foundation demographics



Methodology

As outlined in the Monitor's initial report, Memoranda of Understanding were agreed with each agency outlining how the agencies work with the Monitor, and how information is shared and secured. An Initial Assessment Framework (the Framework) was developed and consulted on with the four agencies. The Framework included the questions that the Monitor would focus on during the initial reporting period. As noted in the Monitor's initial report, the Framework was intended as guidance only, and the questions asked of agencies in this report have been refined.

A draft set of revised reporting requirements was developed and sent to the four agencies for review on 24 December 2019 and the agencies' feedback was discussed with them at a meeting on 28 January 2020. Following agency feedback, the revised 'Phase One Second Cycle Reporting Requirements' (Reporting Requirements) was issued to the agencies on 28 February 2020, with information responses due by 15 March 2020 and data requirements due by 31 March 2020.

The reporting period, for specific data on allegations in this report, is 1 July to 31 December 2019. All data used in this report has been provided to the Monitor directly by the agencies.

Data sent to the Monitor is aggregated with no identifiable information and is stored securely on a separate database that is not visible or accessible to the Ministry of Social Development. Access to this database is limited to relevant team members of the Monitor.

On receipt of the initial information requested, the Monitor reviewed it and prepared a second information request for three of the agencies, to clarify and request additional information. The second information request was sent to two NGO agencies on 23 April 2020 and to Oranga Tamariki on 20 May 2020.

Each agency was provided with draft versions of this report that applied to its agency and had two opportunities to review the information in the draft report prior to its finalisation as follows:

- fact check the information relating to their agency
- respond to any potential adverse comment made by the Monitor in the report.

Due to the contracting relationships held by Oranga Tamariki, it was agreed that the Monitor would provide it with any potential adverse comment relating to any of the three NGO contracted agencies. This would be provided to Oranga Tamariki in advance to enable it to consider a response. In the context of this report, no information of this nature needed to be provided.

The Impact of COVID-19

The Monitor had expected this report to include validation and testing of the information provided by the agencies through fieldwork engagements with agency national offices and front-line staff. Due to the COVID-19 response, the planned fieldwork was not able to be completed and therefore this report includes only limited validation where the Monitor has been able to engage with people using remote or digital means.

On 22 May 2020, the Monitor conducted an interview with staff from the SoCiC Unit. The purpose of the interview was to understand the Unit's assurance processes, and to validate information provided by Oranga Tamariki.



Analysis of Information Provided by Agencies to Assess Compliance with Regulations 69 and 85

This section of the report is based primarily on the information, data and analysis provided by each of the four agencies. The information requested focused on updates and continuous improvement work undertaken since the last report. Individual agency responses have been summarised under each question and where relevant this includes responses to observations made in the Monitor's initial report.

Question One

Have there been any updates to your policies, procedures, tools and practices for responding to allegations of abuse or neglect in respect to tamariki or rangatahi in care?

Each agency provided their updates and changes to policies, procedures and practice in relation to regulation 69.

Open Home Foundation

Open Home Foundation reported it updated its Allegations of Abuse Policy and Process to include information explaining what front-line staff must provide to Oranga Tamariki when reporting an allegation of harm for a child in its care. The agency also reported the record keeping function of the client management system has been strengthened to include allegations that are made against someone other than a caregiver (previously the system only captured allegations against caregivers). Open Home Foundation's policy and process documentation continues to meet the requirements of regulation 69.

Dingwall Trust

Dingwall Trust reported the development of a workplan to complete a wide-ranging review of its policy documents. It is working to integrate a draft incident reporting policy in line with the introduction of a new incident report application called "Peoplesafe". This is currently in a trial phase and will allow Dingwall Trust to capture all incidents and gather statistical information for reporting purposes.

Its client management system is undergoing further development to ensure ease of reporting to Oranga Tamariki. Dingwall Trust has introduced a new caregiver review tool for use after an allegation has been reported and investigated by Oranga Tamariki. Dingwall Trust's policy and process documentation continues to meet the requirements of regulation 69.

Barnardos

Barnardos reported it has updated its Foster Care Policy to provide further clarity to staff on responding to allegations of risk of harm as well as caregiver review requirements following an allegation.

It reported the implementation of an interim procedure to ensure child protection incidents and serious incidents have national oversight within the organisation. This will remain in place while a technical solution is designed on the client management system.

Barnardos' policy and process documentation continues to meet the requirements of regulation 69.

Oranga Tamariki

Oranga Tamariki reported several changes to policy, procedure and guidance documents. These updates have been published on the Oranga Tamariki Practice Centre, and include:

- working with tamariki and rangatahi in care when an allegation of abuse, neglect or harm is against a person in their home; this guidance accompanies the "mana tamaiti objectives"⁸ and guidance for working with tamariki and whānau Māori
- explaining rights and entitlements to tamariki and rangatahi
- assessing safety needs for tamariki in care
- additional reference that an allegation of abuse should initiate a review of the "All About Me" plan⁹
- additional reference that an allegation of abuse should initiate a review of the caregiver support plan¹⁰
- emphasis on the importance of the provider and Oranga Tamariki working well together in relation to a notification of an allegation involving a contracted provider who is caring for a child on behalf of Oranga Tamariki.

Oranga Tamariki reported that work continues on developing further guidance, policy documents and tools in relation to regulation 69.

Oranga Tamariki policy and practice documentation continues to meet the requirements of regulation 69.

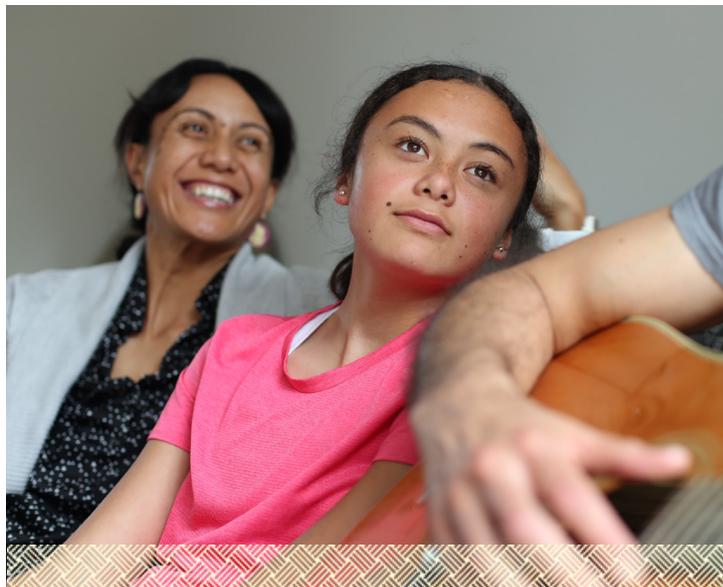
⁸ Oranga Tamariki recognises that every tamaiti (child) is born with 'mana' or a deep intrinsic worth and human potential. Part of its work with te tamaiti is to nurture their mana through practice. This supports them to achieve positive, lifelong aspirations and outcomes, not only for themselves, but for future generations. This strengthens their whakapapa. Oranga Tamariki has developed mana tamaiti practice guidance, which is available to view on its practice centre. <https://practice.orangatamariki.govt.nz/practice-standards/practice-framework-knowledge-and-evidence-base/mana-tamaiti/>

⁹ The "All About Me" plan addresses the needs identified in the needs assessment and holds important information about each tamaiti or rangatahi in the care of Oranga Tamariki.

¹⁰ A document that outlines the support and resources needed for the caregiver to build their capability and maintain their own family/whānau functioning, such as training, counselling and financial support.

Question Two

Describe how practice is being enhanced in relation to continuous improvement activities.



This question applies both to regulation 69 and regulation 86. Regulation 86 requires each agency to monitor its own compliance with the NCS Regulations as well as having systems in place for continuous improvement. The Monitor's December 2019 report highlighted the need for "evidence of improvement processes" as a future focus point. Agencies were asked to provide associated analysis, if any, of self-assessment

work completed in relation to regulation 69.

The process information provided by each of the agencies shows compliance with regulation 86.

Open Home Foundation

Open Home Foundation provided a detailed account of its assurance process regarding regulation 69. It includes the oversight of several senior roles across each stage of the process. Open Home Foundation closely monitors each case and if any gaps become apparent as part of this process, it would review the policy and process.

Dingwall Trust

Dingwall Trust reported that it did not receive any allegations of risk of harm caused by abuse or neglect in this reporting period.

Dingwall Trust previously reported that its self-assessment identified the need for stronger internal processes. In response to this, it will implement a Quality and Risk Committee as part of the Incident Reporting process.

Dingwall Trust has also been in discussion with Oranga Tamariki to confirm how both agencies are working together when dealing with an abuse allegation. Dingwall Trust noted the need for ongoing clarity and communication between the two agencies.

Barnardos

Barnardos reported it did not receive any allegations of risk of harm caused by abuse or neglect in this reporting period.

Barnardos undertook a review of all serious incidents over the last 12 months to identify areas of improvement. Barnardos has reported that the following recommendations have been completed.

- Updating the client management system to provide national oversight of all child protection incidents, serious incidents and behaviours of concern. This will assist Barnardos to track patterns and trends, which in turn feeds into continuous practice improvement.
- Supporting staff to transfer all paper-based records to the client management system.
- Consolidation of the Serious Incident Review process and tools to support a nationally consistent approach.
- Recruitment of two new leadership roles to support the strategic implementation of continuous improvements identified by Barnardos' Quality Improvement Process.

Oranga Tamariki

Oranga Tamariki reported that it has made improvements in several areas.

It engaged with Open Home, Dingwall Trust and Barnardos to confirm that there is a shared and agreed understanding of roles and responsibilities in relation to regulation 69. Oranga Tamariki reported that this work will continue in the future to include all partners and iwi organisations who provide care for tamariki in the custody of Oranga Tamariki.

Individual practice conversations, about responding to allegations of risk of harm caused by abuse or neglect of children in care, continue with sites on a regular basis by the SoCiC Unit, which is responsible for the assurance of regulation 69. Oranga Tamariki reported that the SoCiC Unit has identified individual sites and regions that require additional support. It is providing these sites with direct coaching to improve consistency in responding to allegations of harm for children in care and ensuring a timely and comprehensive response that is reflected in recording.

The SoCiC Unit staff confirmed this when interviewed by the Monitor. Staff said the team systematically review all the information recorded in relation to an allegation of harm that has resulted in a finding. This review includes an analysis of all key decision-points, as well as an assessment of the accuracy of the information recorded. The information is examined and analysed, and feedback is discussed with the relevant social workers, their supervisors, and practice leaders as appropriate. These discussions provide opportunities to strengthen practice and highlight areas where additional support and guidance may be required.

The SoCiC Unit communicates practice insights to the relevant teams within National Office to effect change in relation to policies, procedures and guidelines.

The SoCiC Unit described a moderation process that supports consistency of review and reporting across the work of the team. The SoCiC Unit reported that site staff respond positively to its input and contact with the Unit is now being initiated by site staff seeking information and advice.

Oranga Tamariki reported that engagement with practice leaders at all sites continues on a regular basis to ensure that the areas of practice identified as not fully compliant with regulation 69 are being prioritised.



Question Three

Describe any developments in your practice regarding the way you respond to allegations of harm in relation to tamariki Māori.

The Monitor's December 2019 report highlighted gaps in the service response that could be offered to tamariki Māori when an allegation of a risk of harm caused by abuse or neglect had been made. The Monitor sought to understand the subsequent work each agency had completed in this area.

All agencies provided evidence that they continue to develop policies, procedures and practice enhancements to support better outcomes for tamariki, rangatahi and whānau.

Open Home Foundation

Open Home Foundation reported it is strengthening its approach towards providing support. Policy and practice documents are being updated as part of a wider plan to improve its response for Māori.

Te Kaiwhakahaere Matua¹¹ has spent time at each of the service centres to upskill staff on the cultural supports available for tamariki. This included working with teams on the importance of mana tamaiti (the child's rights) and their role in enhancing this for all tamariki and rangatahi in care. Current practice includes consulting Te Kaiwhakahaere Matua in any case where the child at the centre of the allegation of harm is Māori.

Open Home Foundation is also investigating how to update the client management system to automatically alert Te Kaiwhakahaere Matua and Kaitiaki¹² when a service centre is working with tamariki Māori or rangatahi Māori and their whānau so any cultural support needed is identified at the start of the process.

Dingwall Trust

Dingwall Trust reported that it does not draw a distinction in how it responds to abuse or neglect of children or young people based on legal status or a child's ethnicity, stating that these do not affect its duty to respond.

Dingwall Trust described having "robust cultural practices in place", which it is working to enhance through the development of an organisation-wide cultural approach. It is seeking cultural support and guidance before engaging a cultural audit. This will feed into the development of its organisational strategic plan.

¹¹ Refers to the General Manager Māori.

¹² Kaitiaki is a guardian.

Barnardos

Barnardos reported it is developing strategic relationships with iwi to better meet the individual needs of tamariki Māori. A new cultural advisor role has been established in Christchurch to provide all staff with cultural support in situations where there is an allegation of a risk of harm caused by abuse or neglect.



Oranga Tamariki

The Monitor's initial report highlighted the policy and practice developments already completed by Oranga Tamariki regarding its response to allegations of harm or neglect for tamariki Māori in its care.

It reported that it had implemented new Quality Assurance Standards relating to Section 7AA of the Oranga Tamariki Act 1989, which underpin the development of all policies, practices and services that impact tamariki and whānau Māori¹³. It also reported further practice enhancements to the guidance on "Working with tamariki and rangatahi in care when allegations of a risk of harm caused by abuse or neglect is against a person in their home" as follows.

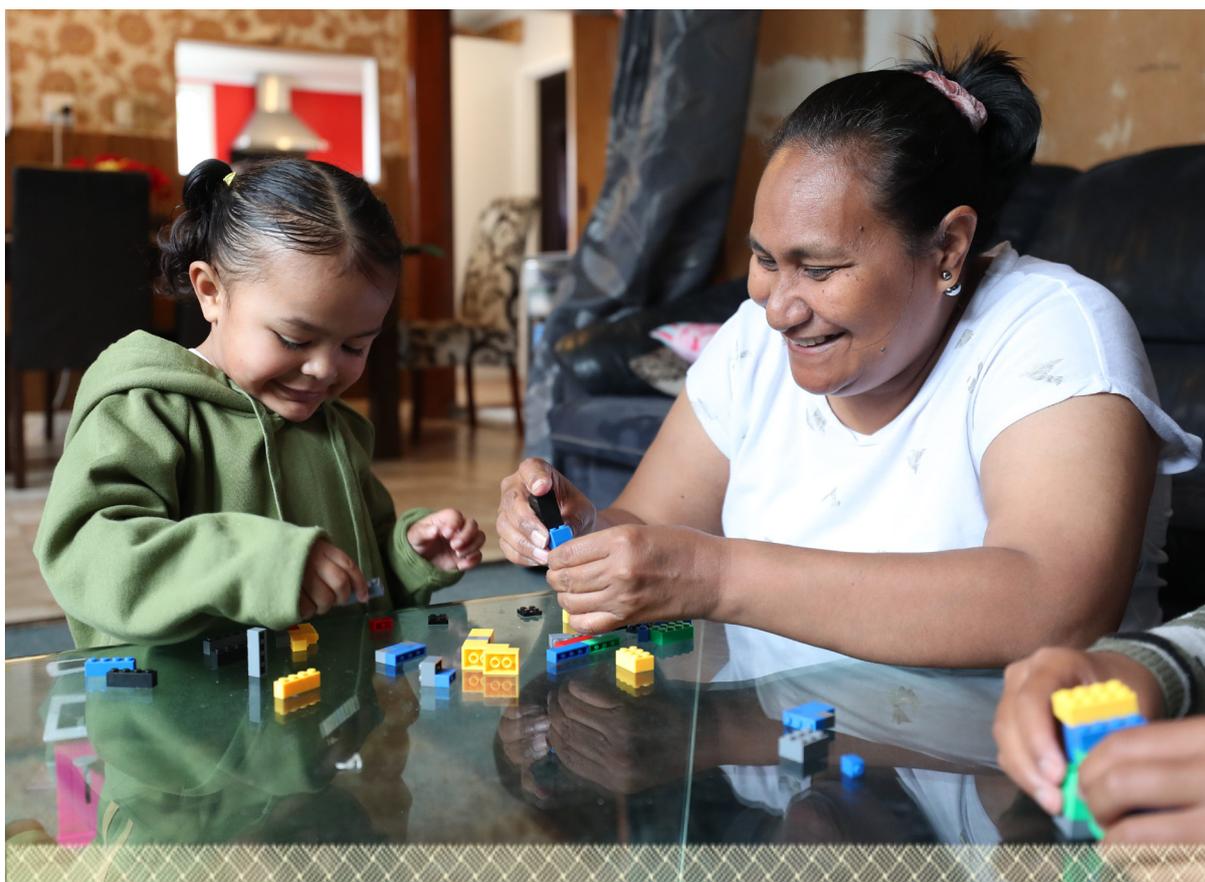
- To emphasise obligations to provide support to tamariki in culturally appropriate ways and the appropriate use of tikanga at particular decision-making points, especially when decisions might be to place a child elsewhere.
- To recognise the significance of the maintenance of whakapapa connections and the ability for whanaungatanga responsibilities to continue to be exercised during the process of managing the allegation.
- To recognise the impact of allegations of abuse or neglect (whether founded or not) through the cultural lens of a violation of tapu¹⁴ and promote tikanga and restorative responses.

¹³ Oranga Tamariki Practice Centre – <https://practice.orangatamariki.govt.nz/our-work/care/caregivers/allegations-against-caregivers/working-with-tamariki-and-rangatahi-when-allegations-of-abuse-neglect-or-harm-are-made-against-their-caregiver>

¹⁴ From the Oranga Tamariki Practice Centre – "tapu of te tamaiti or rangatahi (the personal sacredness of te tamaiti or rangatahi)".

Oranga Tamariki also reported the following developments.

- Ensured Māori practice guidance concepts and knowledge are woven into all new learning material (including updated training material for caregivers).
- Used the regular communications channel called Pātaka to highlight critical elements of working effectively with Māori.
- Continuing to embed and grow kairaranga-a-whānau¹⁵ roles and supporting processes, in partnership with regional mana whenua.
- In the process of rolling out a social work and the law module for all social workers, which focuses on the legislative responsibilities to provide practical commitment to the Treaty of Waitangi and an enhanced focus on mana tamaiti, whakapapa and whanaungatanga, alongside principles of wellbeing and best interests, stability and provision of early help to address the needs of tamariki.
- Developing an Oranga Tamariki practice framework that will have at its foundation a commitment to how it works with tamariki and whānau Māori and will articulate the values, knowledge, skills, approaches and support needed to embed this in practice.



¹⁵ Kairaranga-a-whānau is a role that looks intensively into a child's background and whakapapa, researching family links for suitable caregivers for a young person that cannot stay at home.

Question Four

How are you able to provide assurance that all allegations in relation to risk of harm caused by abuse or neglect of a child or young person in care are logged and responded to?

Regulation 69(1) requires that notifications of allegations of harm caused by abuse or neglect of tamariki and rangatahi in care or custody are responded to and the Monitor acknowledges that there is a dual responsibility between the NGO agencies and Oranga Tamariki when responding these allegations. Oranga Tamariki is responsible for completing the statutory investigation under s17 of the Oranga Tamariki Act 1989. The NGO, who has custody of the tamaiti or rangatahi, is responsible for reporting the allegation of risk of harm to Oranga Tamariki and ensuring the immediate safety of the tamaiti or rangatahi. It is also responsible for supporting the tamaiti or rangatahi throughout the investigation and at the end of the process.

Open Home Foundation

Open Home Foundation reported one allegation of a risk of harm caused by abuse or neglect in relation to a child in its care or custody for the period. Oranga Tamariki completed an assessment, which did not result in a finding of abuse.

Based on the information provided, and the aspects of the regulation within its control, Open Home Foundation is compliant with regulations 69 and 85.

Dingwall Trust and Barnardos

Both Dingwall Trust and Barnardos reported they had received no allegations for the period and therefore compliance with this regulation is not relevant to this question.

Oranga Tamariki

When an allegation is made, the National Contact Centre makes an initial assessment using the Decision Response Tool, in order to determine an appropriate response. The decision is then quality checked by a supervisor. The same first line of assurance is used at sites. Oranga Tamariki reported that a weekly report, which identifies all tamariki in care or custody who have been the subject of a Report of Concern (notification), is reviewed nationally and regionally to ensure that appropriate action is taken.

Where it is determined that an allegation requires a Child and Family Assessment or Investigation, this follow up response is undertaken at sites. These assessments or investigations may lead to “findings”. Findings include physical abuse, sexual abuse, emotional abuse, neglect, behaviour/relationship difficulties and “not found”.

The SoCiC Unit within Oranga Tamariki is responsible for reviewing and reporting on non-accidental harm caused to children in care or custody. During the second quarter, the SoCiC Unit reviewed 253 cases with findings for tamariki in care or custody. The SoCiC Unit has therefore provided the assurance regarding these cases.

The Monitor noted in its December 2019 report that there was a lack of visibility around the allegations of risk of harm caused by abuse or neglect that were classified as “no further action required” at the National Contact Centre or a local site. Oranga Tamariki reported that from March 2020 it has expanded its assurance process to include a sample of allegations that were closed with no initial assessment or follow-up assessment or investigation. The Monitor will include the results of this reporting and analysis in its November 2020 report.



Question Five

Open Home Foundation, Dingwall Trust and Barnardos

Please describe the supports put in place for a child or young person following an allegation of harm.

This question relates to the provision of supports under regulation 69(2)(d). It was only directed to Open Home Foundation, Dingwall Trust and Barnardos as the broader responsibilities Oranga Tamariki has, including the requirement to put supports in place, is covered in the answers to the question that follows. The Monitor is seeking insight into the level of support provided to tamariki and rangatahi both during and after a finding of abuse or neglect.

Both Barnardos and Dingwall Trust reported they had not received any allegations of harm caused by abuse or neglect for the period and therefore compliance with the regulation was not relevant to this question.

Open Home Foundation

Open Home Foundation provided information on one allegation of abuse or neglect of a tamaiti or rangatahi in its custody from 1 October to 31 December 2019. It also provided information in relation to the three other allegations received in the first quarter (1 July to 30 September 2019). An overview of the actions taken to support tamariki and rangatahi where an allegation of abuse had been made were provided. A plan review was completed for each tamaiti or rangatahi when the allegation was made, regardless of the outcome. Each foster parent (caregiver) plan was reviewed to ensure that the supports in place were adequate for the caregivers to be able to support and care for the child or rangatahi. Supports were always tailored to the needs of the individual case and included further caregiver trauma-informed training, cultural supports, therapy with a child psychologist, discussions with the school, social skills training and increased supervised visits with a parent. For one child, extra funding was sought to enable weekly support worker visits to help build on their strengths.

Based on this information, Open Home Foundation is compliant with this requirement.

It was also reported that it did not make a distinction between reports that did or did not result in a finding of abuse or neglect when providing support to tamariki or rangatahi.

Question Five

Oranga Tamariki

How many of the reports made in relation to a risk of harm caused by abuse or neglect have been responded to in a timely manner?

This question was directed to Oranga Tamariki, who is responsible for completing the statutory investigation as part of the regulation. Regulation 69(2)(a) requires that the response to an allegation of abuse or neglect in care or custody must be prompt.

If an agency with tamariki in its custody receives an allegation, it must promptly¹⁶ report the allegation to Oranga Tamariki and provide initial safety for the child when the allegation is made. In the second quarter, only one agency reported an allegation of abuse and neglect. From the information provided Open Home Foundation was compliant with this part of the regulation.

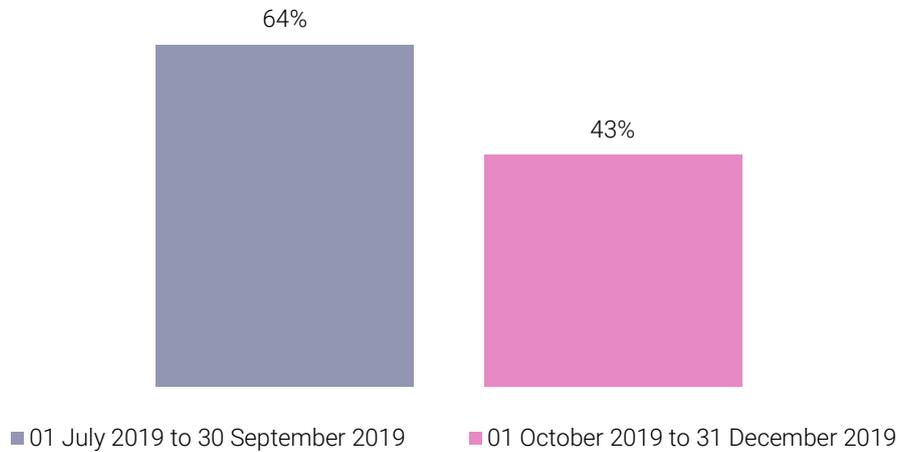
Oranga Tamariki has provided the Monitor with data on its compliance for the 253 reviewed allegations of abuse or neglect with confirmed findings.

When an Oranga Tamariki site receives a report of an allegation of harm, it carries out a Safety and Risk screen, which is the initial safety response, within defined timeframes specified in its operational policies. The purpose is to review the safety of a child at that point in time and to determine what next steps or actions are required.

Reported data shows a high level of compliance with safety screen requirements with 85 percent completed within the required timeframe for the second quarter and 88 percent in the previous quarter.

Child and Family Assessments (C&FA) and Investigations, including those referred to Police under the Child Protection Protocol (CPP), are carried out after a Safety and Risk screen has been completed. Oranga Tamariki has defined timeframes for the completion of these processes. The percentage of all C&FA and CPP investigations that were completed on time was 43 percent in the second quarter and 64 percent in the previous quarter.

¹⁶ Each agency has its own policy and process that defines the timeframes within which an allegation must be reported to Oranga Tamariki, ranging from one hour through to no more than 24 hours.

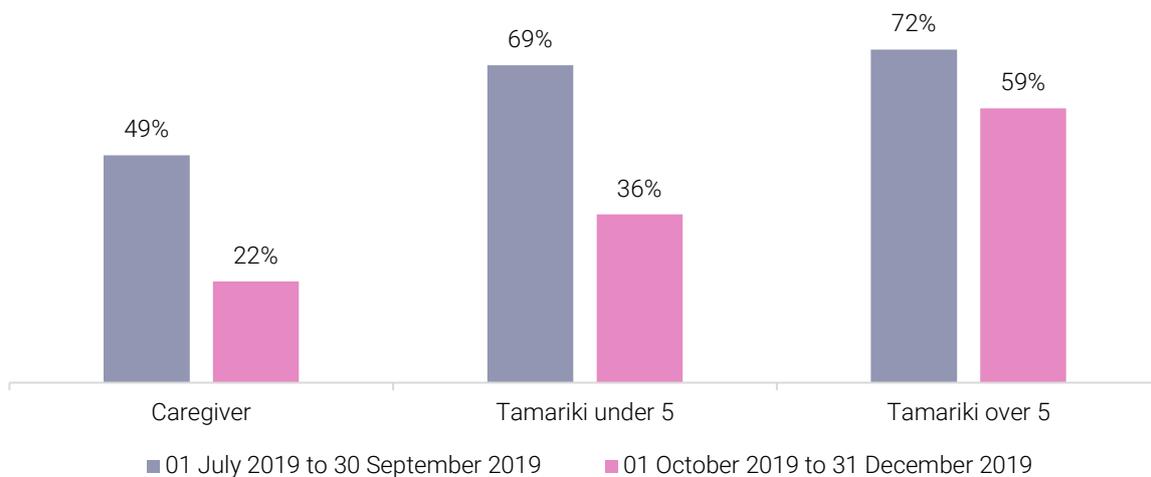


Graph one – Percentage of Child and Family Assessments or Investigations completed within the required timeframes

C&FA/ CPP investigation timeframes are split into three categories:

- 25 days to complete an investigation where an allegation relates to an approved caregiver
- 36 days to complete an investigation where an allegation relates to tamariki under the age of five years
- 43 days to complete an investigation where an allegation relates to tamariki or rangatahi over the age of five years

Compliance with these timeframes is reported as:



Graph two – Percentage of Child and Family Assessments or Investigations completed in time by relevant group

Oranga Tamariki confirmed that although some investigations were completed outside the required timeframes, investigations were completed on all the cases that the SoCiC Unit reviewed and reported on. Oranga Tamariki reported that further analysis of this data has been undertaken to identify where assessments or investigations met the needs of tamariki and parties to the allegation, even though the timeframes were not met. It is also identifying cases where timeframes were met, but an administrative error meant that it was not recorded in time.

Oranga Tamariki has confirmed that ensuring the timely completion of assessments and investigations remains an area of ongoing focus. It has made several changes including strengthened practice guidance, provision of feedback and enhanced reporting to drive continuous improvement, as well as additional support and coaching where required for individual sites. It is also strengthening its Performance Management Framework, which includes strategies that foster a culture of insight-led learning and decision-making. The Monitor will request an update on this work for the November 2020 report.



Question Six

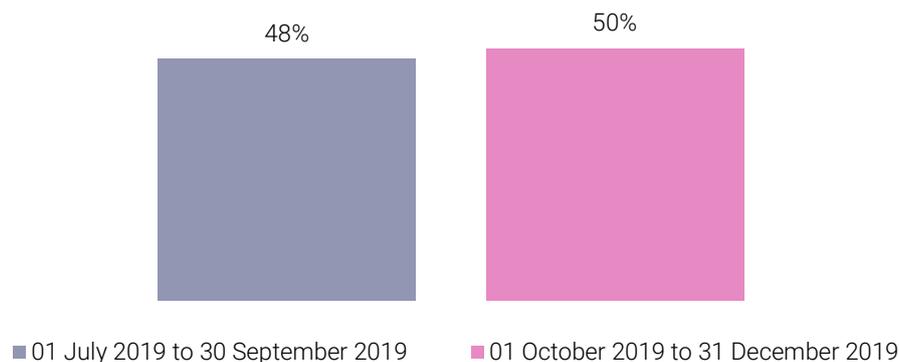
Was the information regarding the reports of concern, detailed in question five, recorded and reported in a consistent manner?

This question is only relevant to Oranga Tamariki in the context of responding to reported allegations. It seeks information on compliance with the requirement to record and report information consistently in line with regulation 69(2)(b).

The level of compliance as reported by Oranga Tamariki was low.

The operational policies specify that an allegation of a risk of harm caused by abuse or neglect that requires a Safety and Risk screen, Child and Family Assessment or Investigation, should not have any missing information¹⁷. Of the 253 findings reviewed in the second quarter, 50 percent of the records had complete information.

Compliance over the two reporting quarters was:



Graph three – Percentage of allegations of abuse or neglect where information was complete

Oranga Tamariki reported it is continuing to embed changes required by the NCS Regulations and that improving practice, particularly around accuracy and consistency of recording information, continues to be a key area for improvement. The Monitor will request information regarding continuous improvement activities for its next report.

¹⁷ Missing information can relate to any of the following; either abuse not recognised or a non-abuse event wrongly assessed as abuse, wrong abuse type defined, dates inaccurate, alleged abuser information or placement type information wrongly recorded, or information had not been recorded.

Question Seven

In how many cases was the child or young person informed of the outcome of the Report of Concern?

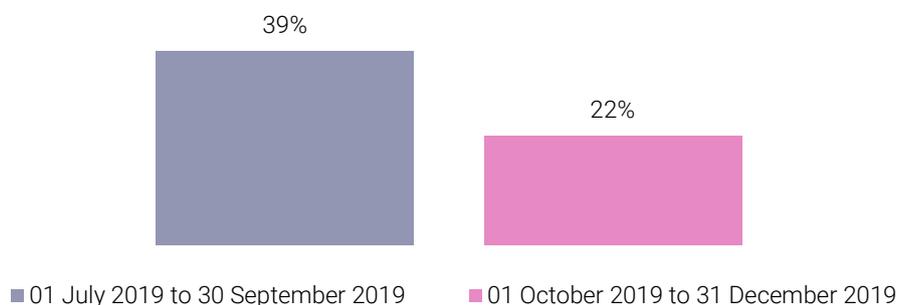
This question is only relevant to Oranga Tamariki and applies to regulation 69(2)(c), which states where appropriate the child or young person will be informed of the outcome of the allegation of a risk of harm caused by abuse or neglect.

Compliance for the second quarter was reported by Oranga Tamariki on 104 incidents that had a finding of harm (excluding those findings of “not found” and “behavioural/relationship difficulty”). Oranga Tamariki count an incident as compliant both where tamariki have been informed of the outcome and where tamariki have not been informed when it was inappropriate to do so; for example, if the child was very young.

Oranga Tamariki reported that in 22 percent of cases the tamaiti or rangatahi was either informed or it was assessed that it was inappropriate to do so. In 78 percent of cases it could not provide evidence that the tamaiti or rangatahi had been informed. There was also no evidence provided in relation to allegations of harm that did not result in a finding and whether those tamariki and rangatahi were informed of the outcome. Oranga Tamariki reported that it is policy for social workers to advise all tamariki they work with (regardless of care status) of the findings of an investigation outcome, and the outcome of any assessments.

Informing tamariki and rangatahi of the outcome of an assessment or investigation is important so they feel that they have been heard and that their concerns have been taken seriously. Oranga Tamariki reported that new guidance is in progress to improve advising and recording whether tamariki and rangatahi have been informed.

The Monitor will seek evidence of this new guidance and improvement in the number of tamariki and rangatahi informed of the outcome of an assessment or investigation, in its November 2020 report.



Graph four – Percentage of children informed of the outcome where appropriate, or not informed where inappropriate to do so

Question Eight

Were appropriate steps taken with the parties to the allegation, including a review of the caregiver's plan?

This question is only relevant to Oranga Tamariki, except the review of the caregiver's plan that is also relevant to Open Home Foundation.

Regulation 69(2)(d) requires that appropriate steps are taken with all parties to the allegation, including a review of the caregiver's plan.

Open Home Foundation completed a review of the caregiver plan in response to the allegation of harm; therefore, is compliant with this component of the regulation.

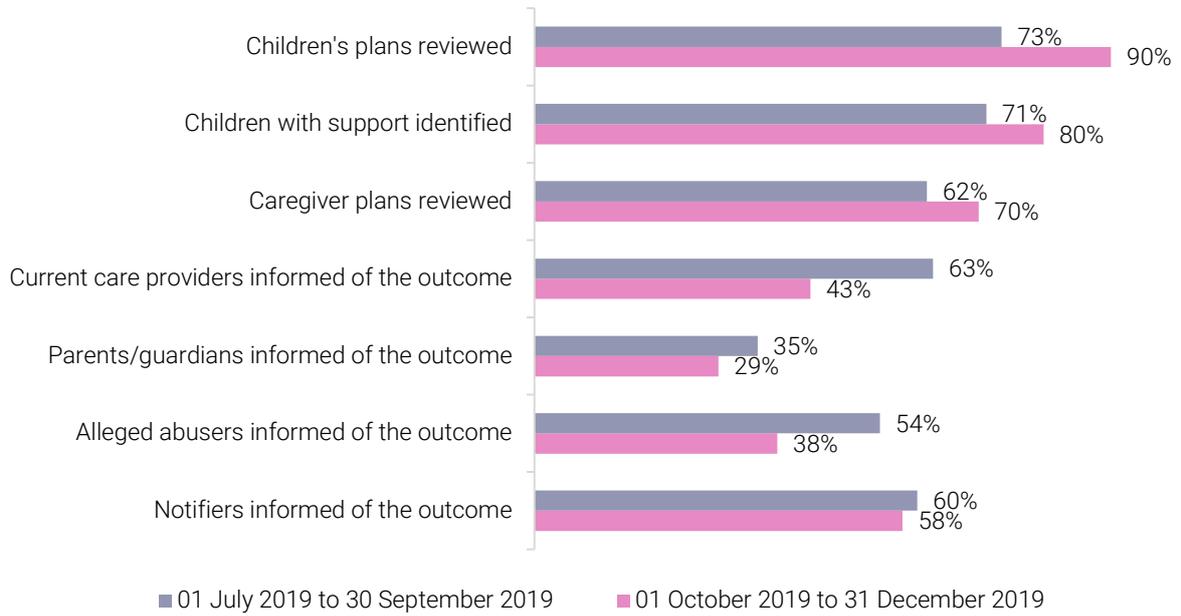
Oranga Tamariki operational policies state that "appropriate steps" includes informing relevant parties¹⁸ of the outcome where appropriate, reviewing the child's plan and identifying what further support can be put in place for the tamariki or rangatahi. One of the appropriate steps that may be taken is the need for tamariki or rangatahi to leave their current care placement. On average across the two reporting quarters, 73 percent of tamariki and rangatahi were assessed as safe to remain in their placement. In the second quarter, 60 percent of tamariki and rangatahi were assessed as safe to remain in their placement.



As with question seven, compliance for the second quarter was reported on the 104 incidents that had a finding of harm (excluding those findings of "not found" and "behavioural/relationship difficulty"). Oranga Tamariki count an incident as compliant both where relevant parties have been informed and where relevant parties have not been informed when it was inappropriate to do so.

¹⁸ Those relevant parties are the current care provider, the parent/guardian, the alleged abuser and the notifier.

Graph five shows the percentage of incidents for which Oranga Tamariki was compliant¹⁹.



Graph five – Percentage of incidents that complied with each appropriate step

¹⁹ As noted previously, as this is only a six-month period, trends and patterns cannot be drawn.



Appendix One: National Care Standards Regulations Phase One Monitoring Requirements

Regulation 69 – Duties in relation to allegations of abuse and neglect

- (1) The chief executive must ensure that any information disclosed passing on concerns in relation to a risk of harm caused by abuse or neglect of a child or young person in care or custody is responded to.
- (2) In carrying out the process for responding to the information, the chief executive must ensure that –
 - a. The response is prompt; and
 - b. The information is recorded and reported in a consistent manner; and
 - c. Where appropriate, the child or young person is informed of the outcome; and
 - d. Appropriate steps are taken with the parties to the allegation, including a review of the caregiver's plan

Regulation 85 – Provision of information to independent monitor

The chief executive must ensure that information is provided to the independent monitor on –

- a) Reports of abuse or neglect that the chief executive has received under regulation 69; and
- b) How those reports were responded to

Regulation 86 – Self-monitoring

- (1) The chief executive and an approved organisation with a child or young person in care or custody must monitor their own compliance with these regulations (self-monitoring) by—
 - (a) having systems in place for continuous improvement that identify and address areas of practice that require improvement; and
 - (b) using a system for self-monitoring designed to ensure the collection of information that will support the independent monitor to fulfil its monitoring role.
- (2) The Minister may at any time require the chief executive or any approved organisation with a child or young person in care or custody to report on the matters referred to in subclause (1).

Appendix Two: Future Focus Areas in the Monitor's Initial Report

<p>1. Once the NCS Regulations have agreed definitions, the Monitor will ask for each agency's self-assessments against the definitions.</p>	<p>The Monitor has received Oranga Tamariki definitions for part one of the National Care Standards and Related Matters Regulations (2018). This work is ongoing for parts two to five. The Monitor will ask for each of the agency's self-assessments against the definitions when this work has been completed and will use this information to inform future planning and development of the assessment framework.</p>
<p>2. The work on the updated policies and tools by Oranga Tamariki was to be completed by October 2019 and will be provided to the Monitor in time for the June 2020 report.</p>	<p>The Monitor received links to the updated policies, procedures and tools as part of the second cycle reporting requirements. The policy and procedure updates that have been completed are now published on the Oranga Tamariki website and have been detailed in this report in Question One. Oranga Tamariki also provided the Monitor with details on guidelines, policies and tools that are still a work in progress. The Monitor will follow up with these in the next reporting cycle.</p>
<p>3. Oranga Tamariki to clarify what constitutes a report of concern of abuse or neglect of a child in care.</p>	<p>Oranga Tamariki engaged with Open Home Foundation, Dingwall Trust and Barnardos. The discussions included clarity around the different roles and responsibilities of both Oranga Tamariki and the other agencies in this area of work. Both Open Home Foundation and Barnardos have stated that they are clear in their understanding of what constitutes an allegation of abuse or neglect of a child in care. Dingwall Trust would appreciate further discussion with Oranga Tamariki given that they have had a recent change in personnel. Oranga Tamariki intend to continue this work, by extending the discussion to include all partners and iwi organisations who provide for shared care arrangements.</p>
<p>4. Results from the repeated self-assessment being completed by Oranga Tamariki in Jan–March 2020 will be required and included in the Monitor's June 2020 report.</p>	<p>The Monitor has not received this information. The information has been delayed by the COVID-19 response. Information will be included in the Monitor's next report.</p>

<p>5. Quality Practice Tool and site Practice Checks reporting will be required from Oranga Tamariki and will be included in the Monitor's June 2020 report.</p>	<p>The Monitor has not received this information.</p> <p>The information has been delayed by the COVID-19 response. Information will be included in the Monitor's next report.</p>
<p>6. The Monitor will be seeking information on those reports of concern that are entered on the case management system, that are genuine reports of alleged abuse and do not have a finding.</p>	<p>Oranga Tamariki has provided high-level data to the Monitor and has informed the Monitor it will begin assuring these decisions from March 2020. Information on this assurance process will be included in the Monitor's November 2020 report.</p>
<p>7. Case validation and analysis of raw data will be required to further understand compliance with the NCS Regulations for the next report.</p>	<p>Oranga Tamariki did not provide the raw data requested for this report and is working with the Monitor on what it will provide for the November 2020 report.</p> <p>Open Home Foundation provided raw data to the Monitor, regarding regulation 69. Information has been used by the Monitor to inform the data and analysis that has been completed for the report.</p> <p>Barnardos and Dingwall Trust reported they did not receive any allegations of risk of harm caused by abuse or neglect in this reporting period.</p>
<p>8. With specific regard to tamariki Māori, one area that was not strong for any agency was information on supports that could be offered when an allegation is made, such as cultural supports. This is something the Monitor did not request or focus on and is likely to be included in the next information request.</p>	<p>All the agencies provided the Monitor with detailed updates, which have been summarised in Question Three.</p>
<p>9. Evidence of assurance processes in practice will be required for the Monitor's June 2020 report.</p>	<p>The Monitor received detail regarding assurance processes from all the agencies. This information has been detailed in Question Two of the report.</p>

<p>10. Evidence of improvement processes and progress will be required for the Monitor's June 2020 report.</p>	<p>The Monitor has not received this information from Oranga Tamariki.</p> <p>The information was delayed by the COVID-19 response. This will be followed up in the Monitor's next report.</p>
<p>11. With an initial baseline now established through this report, the Monitor will be reviewing its initial assessment framework with a view to seeking more targeted responses that will enable it to wholly fulfil its monitoring function.</p>	<p>The Monitor has refined the initial assessment framework. Questions that were asked in the Phase Two – Second Cycle Reporting Requirements focused on updates to policy, procedure, practice and tools.</p> <p>The Monitor will continue to refine the process for the November 2020 report, which will be the final report with a concentrated view of the three regulations. Future reporting will refer to compliance against all the National Care Standards and Related Matters Regulations (2018).</p>
<p>12. The Monitor will expect to see analysis and targeted or national interventions from Oranga Tamariki that respond to the trend information from the reporting from the SoCiC Unit.</p>	<p>Oranga Tamariki reported that information from the data was used to inform service development discussions that will influence targeted interventions for working with young people who have experienced sexual violence; this includes support, advice and developing additional services for young people.</p> <p>It also reported learnings from the SoCiC Unit data has focused on caregiver supports and is informing the co-design of future models of whānau care in partnership with iwi and Māori organisations.</p>
<p>13. To prepare for the June 2020 report, the Monitor will be asking for case examples to validate information and will seek to engage with a small number of those involved in the casework to triangulate the information and further inform compliance with the NCS Regulations as well as look for those continuous learning opportunities.</p>	<p>Due to the Government's response to COVID-19, the Monitor delayed its validation and fieldwork. Where possible, validation was sought through digital means.</p> <p>The Monitor will validate the information provided by the agencies through engagement with agency staff and communities involved in the Oranga Tamariki system. A pilot validation and fieldwork programme has been developed and will be trialled when it is appropriate to do so.</p>

Appendix Three: Information and Data Requirements in Relation to Regulations 69 and 85 (and 86, as relevant) of the NCS Regulations

Section One: Phase One – Second Reporting Cycle Information Request Oranga Tamariki

Ref	Question	Information Requirements
1	Have there been any updates to your policies, procedures, tools and practices for responding to allegations of abuse or neglect in respect to children or young people in care?	<p>Please provide details of these changes.</p> <p>How have these changes been communicated to and implemented by front-line staff?</p>
2	Describe how practice is being enhanced in relation to continuous improvement activities.	<p>Provide evidence of improvements relevant to the processes for responding to notifications of abuse or neglect.</p> <p>Include results and associated analysis of the repeated self-assessment (Jan–Mar 2020) by 15 May 2020.</p> <p>Include any relevant information and analysis regarding the Quality Practice Tool and Site Practice Checks reporting.</p> <p>As detailed in the December 2019 ICM report, have there been any targeted or national interventions because of the trends and patterns identified in the SoCiC Unit reporting?</p>

Ref	Question	Information Requirements
3	Describe any developments in your practice regarding the way you respond to allegations of harm in relation to tamariki Māori.	<p>Evidence of developments which may include:</p> <ul style="list-style-type: none"> • the provision of culturally appropriate supports that could be offered when an allegation is made • particular practices for Māori whānau • consideration of mana tamaiti <p>Please provide any information regarding how you are reducing disparities in outcomes for tamariki Māori.</p>
4	<p>How are you able to provide assurance that all allegations in relation to a risk of harm caused by abuse or neglect of a child or young person in care are logged and responded to?</p> <p>Regulation 69(1)</p>	<p>Please provide details of the responses as per your definition provided '... is responded to'*. Include (as per the attached data request):</p> <ol style="list-style-type: none"> a) Number of reports in relation to a risk of harm caused by abuse or neglect of a child or young person in care received by Oranga Tamariki (including reports made by s396 providers). b) Number of reports of concern assessed as requiring further action in relation to allegations of abuse and neglect of children in care. c) The number of reports of concern closed without an Investigation or Child and Family Assessment in relation to allegations of abuse or neglect of children in care. d) Number of Child and Family Assessments and Investigations completed in relation to allegations of abuse and neglect of children in care. <p>Please include any analysis completed which provides assurance regarding the decision-making processes as defined in your definition mentioned above. Please provide details of Reports of Concern outcomes i.e. Partnered Response, NFA etc</p> <p><i>* Have you considered broadening the definition of 'Responded to' as detailed in the Continuous Improvement Observations on Page 15 of the December 2019 ICM report?</i></p>

Ref	Question	Information Requirements
5	<p>How many of the reports made in relation to a risk of harm caused by abuse or neglect have been responded to in a timely manner?</p> <p>Regulation 69(2)(a)</p>	<p>Please advise whether the responses were timely in regard to:</p> <ul style="list-style-type: none"> the immediate safety of the child (Safety Assessment) <p><i>and</i></p> <ul style="list-style-type: none"> the investigation or child and family assessment to be undertaken to enable a finding of abuse or 'not found' to be made. <p>Please provide any additional evidence of self-monitoring that has occurred across the organisation for the period.</p>
6	<p>Was the information regarding the reports of concern detailed in question 5 recorded and reported in a consistent manner?</p> <p>Regulation 69(2)(b)</p>	<p>Please provide details regarding your level of compliance with this regulation.</p> <p>Provide evidence of assurance processes that have been used to indicate whether these have been recorded and reported consistently. Please include any associated analysis and any resulting changes to policies or practice.</p>
7	<p>In how many cases was the child or young person informed of the outcome of the Report of Concern?</p> <p>Regulation 69(2)(c)</p>	<p>Please provide information regarding the level of compliance with this regulation. Include the following:</p> <ul style="list-style-type: none"> the number of children or young people who were informed of the outcome the number of children or young people who were not informed of the outcome. <p>Provide evidence and analysis regarding this information and quality assurance processes you rely on when reporting this data*².</p> <p><i>*² Have you considered broadening the definition of 'Outcome' as detailed in the Continuous Improvement Observations on Page 15 of the December 2019 ICM report?</i></p>

Ref	Question	Information Requirements
8	<p>Were appropriate steps taken with the parties to the allegation, including a review of the caregiver's plan?</p> <p>Regulation 69(2)(d)</p>	<p>Please provide any information and evidence, including the data and analysis regarding your level of compliance with this regulation including where tamariki are in shared care arrangements with Approved Organisations (as per the definition of 'Appropriate Steps' previously provided).</p> <p>Please provide specific information regarding:</p> <ul style="list-style-type: none"> • reviews of caregiver plans • outcomes for children/young people.

Section Two: Phase One – Second Reporting Cycle Data Request Oranga Tamariki

General information for children and young people in custody of Oranga Tamariki	<ul style="list-style-type: none"> a) Number of children or young people in custody (including Youth Justice) b) Number of children or young people by: site, region, age, ethnicity, gender, disability, placement type, agency with care
Initial response to concerns raised (relating to children and young people in custody)	<ul style="list-style-type: none"> c) Number of reports in relation to a risk of harm caused by abuse or neglect of a child or young person in care received by the contact centre and sites d) Number of reports that were referred to site by the contact centre e) Number of reports received by site that have had a safety screen completed f) Number that have progressed to CFA or Investigation

The following series of questions are being requested on a line by line basis for each incident involving harm for a child in care from 1 July 2019. This would include all abuse of children in custody incidents. Please refer to the excel spreadsheet for the data input.

Information related to children and young people with a finding	<ul style="list-style-type: none"> g) Unique identifier for child or young person h) Age of child or young person i) Gender j) Ethnicity k) Region l) Site m) Whether they have a disability, including cognitive or developmental issues
Agency information related to the children and young people with a finding	<ul style="list-style-type: none"> n) Agency with care – Oranga Tamariki or a s396 Provider o) Agency with custody– Oranga Tamariki or a s396 Provider

<p>Information related to the abuse incident for children and young people with a finding</p>	<ul style="list-style-type: none"> p) Incident number (identifier for individual harm incident) q) Date of incident r) Who the allegation is against? s) Type of harm (Neglect, Emotional, Physical, Sexual, Not found, Other [please define]) t) Placement type u) Whether the harm occurred inside or outside placement
<p>Promptness of response and nature of investigation for children and young people with a finding</p>	<ul style="list-style-type: none"> v) Level of urgency given to report (Critical, Very urgent, Urgent, Low urgency) w) Whether the safety screening was completed on time x) Type of investigation that was carried out (CFA or Investigation) y) Whether the investigation or CFA was completed within the timeframe
<p>Appropriateness of steps taken for children and young people with a finding</p>	<ul style="list-style-type: none"> z) Whether a placement change was required aa) If the child/young person's plan was reviewed bb) Whether any support was identified for the child cc) Whether the caregiver support plan was reviewed
<p>Outcome communicated for children and young people with a finding</p>	<ul style="list-style-type: none"> dd) If the child was informed of the outcome ee) If the caregiver was informed of the outcome ff) If the parents/guardians were informed of the outcome gg) If the alleged abuser was informed of the outcome hh) If the notifier was informed of the outcome

Section One: Phase One – Second Reporting Cycle Information Request Approved Organisations

Ref	Question	Information Requirements
1	Have there been any updates to your policies, procedures, tools and practices in relation to allegations of abuse or neglect for children or young people in care?	<p>Please provide details of these changes.</p> <p>How have these changes been communicated to and implemented by front-line staff?</p>
2	Describe how practice is being enhanced in relation to continuous improvement activities.	Please provide results and associated analysis of your self-assessment/s, and any other continuous improvement processes.
3	Describe any developments in your practice regarding the way you respond to allegations of harm in relation to tamariki Māori	<p>Evidence of developments which may include:</p> <ul style="list-style-type: none"> particular practices for Māori, including the provision of culturally appropriate supports that could be offered when an allegation is made consideration of mana tamaiti. <p>Please provide any information regarding how you are reducing disparities in outcomes for tamariki Māori.</p>
4	<p>How are you able to provide assurance that all allegations in relation to a risk of harm caused by abuse or neglect of a child or young person in care are responded to?</p> <p>Regulation 69(1)</p>	<p>Please provide details of the number of allegations reported to Oranga Tamariki in the period.</p> <p>Please include any information or analysis completed which provides assurance regarding your decision-making processes and that policy was adhered to.</p> <p>As highlighted in the December 2019 ICM report (Page 16) please advise whether your agency has an understanding “as to what situations may be defined as abuse or neglect of a tamaiti or rangatahi in care and therefore require a report of concern to Oranga Tamariki”.</p>
5	Please describe the supports put in place for a child or young person following an allegation of harm.	Please provide detailed information regarding supports and outcomes for children and young people.

Section Two: Phase One – Second Reporting Cycle Data Request Approved Organisations

This data is required only in relation to tamariki in the custody of the Approved Organisation but not to tamariki for whom the Approved Organisation holds shared care arrangements.

General information for children and young people in custody	<ul style="list-style-type: none"> a) Number of children or young people in custody b) Number of children or young people by: location, age, ethnicity, disability, caregiver type, placement type
Information related to children and young people with a reported concern of harm	<ul style="list-style-type: none"> c) Age of child or young person d) Gender e) Ethnicity f) Location g) Whether they have a disability, including any cognitive or developmental issues (based on whatever definition of disability is used by the Approved Organisation)
Appropriateness of steps taken for children and young people with a finding	<ul style="list-style-type: none"> h) Whether a placement change was required i) If the child/young person's plan was reviewed j) Whether any support was identified for the child
Follow up actions	<ul style="list-style-type: none"> k) Whether the caregiver support plan was reviewed l) Initial response time provided by Oranga Tamariki to the report of concern.



Independent Children's Monitor

The monitor
for the
Oranga Tamariki
system

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