

## In Confidence

Office of the Minister for Children

Cabinet Social Wellbeing Committee

## The Oranga Tamariki Action Plan

### Proposal

- 1 This paper seeks your endorsement of the Oranga Tamariki Action Plan (the Action Plan), which is attached at **Appendix Two**.

### Relation to government priorities

- 2 This proposal relates to the government's priority of *laying foundations for the future*. We are committed to ensuring that New Zealand is the best place in the world to be a child. We are also committed to ensuring Oranga Tamariki partners with iwi, hapū, and Māori organisations to find appropriate solutions for children in need and young people in need, and families, whānau, hapū and iwi.

### Background

- 3 The purpose of the Action Plan, which is required by the Children's Act 2014, is to indicate how chief executives of children's agencies<sup>1</sup> will work together to improve the wellbeing of children and young people who are in, are at risk of entering, or have been<sup>2</sup> involved in the care or youth justice system (the 'priority populations').<sup>3</sup>
- 4 The Action Plan sits underneath the Child and Youth Wellbeing Strategy (the Strategy) and must set out the steps chief executives will take to work together to achieve the outcomes of the Strategy for the priority populations. It may also set out any other steps that the chief executives have decided that they will take to work together to improve the wellbeing of those groups (recommendation one refers).<sup>4,5</sup>
- 5 The first Action Plan is a crucial opportunity for us to achieve better outcomes for this group of children and young people through children's agencies' chief executives and their staff working together with a clear focus on improving outcomes.
- 6 I have approved the Action Plan and it has been endorsed by the Social Wellbeing Board and Child and Youth Wellbeing Strategy Ministers (recommendation two refers).

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<sup>1</sup> Children's agencies are Oranga Tamariki, New Zealand Police, and the Ministries of Education, Social Development, Health, and Justice. Other agencies can be involved, such as Te Puni Kōkiri, the Department of Corrections, and the Ministry for Housing and Urban Development.

<sup>2</sup> 'Have been' relates to those persons up to the age of 21 years who have been in care under the care and protection or youth justice systems

<sup>3</sup> s5, Children's Act 2014

<sup>4</sup> The six outcomes in the current strategy are (i) children and young people are loved, safe and nurtured; (ii) children and young people have what they need; (iii) children and young people are happy and healthy; (iv) children and young people are learning and developing; (v) children and young people are accepted, respected and connected; (vi) children and young people are involved and empowered.

<sup>5</sup> s9, Children's Act 2014

- 7 I will soon be submitting for your consideration a Cabinet paper reporting on progressing the implementation of a new direction for Oranga Tamariki. Oranga Tamariki is undertaking a fundamental and significant shift in its approach, operating model, and practice to enable it to deliver on the vision of the Ministerial Advisory Board's first report, *Hipokingia ki te Kahu Aroha Hipokingia ki te Katoa*, and the actions in the Future Direction Plan. The Action Plan supports many of the changes we are trying to achieve through the Future Direction Plan, in particular where cross-agency collaboration to improve the wellbeing of the priority populations is required.

### **Oranga Tamariki frontline staff struggle to access the right supports for children, young people and their families and whānau**

- 8 The priority populations are among those New Zealanders with the greatest wellbeing needs. They are likely to continue to have poor long-term, even life-long outcomes without major changes in the way government agencies and communities work together to meet their needs.
- 9 I have heard from frontline Oranga Tamariki staff across the country that they struggle to access other government supports and services that are needed by the children, young people and their families and whānau that Oranga Tamariki works with. Frontline staff include Oranga Tamariki social workers, who are in a unique position, within a care and protection and youth justice context, where they are held to account by Family and Youth Courts for the delivery of actions that sit within the remit of other agencies. This often puts them in the difficult position of having to justify the lack of support from other agencies and fill support gaps themselves, creating a significant financial burden on Oranga Tamariki and impacting the wellbeing of children, young people and their families and whānau (recommendation three refers).
- 10 I want Oranga Tamariki social workers to be able to focus on their important and specialised work of providing high-quality statutory social work support to children, young people and their families and whānau to meet their needs, and for them to be supported in that role by other agencies. This is imperative to rebuilding trust and confidence in our social workers and making Oranga Tamariki a high performing, highly trusted statutory care and protection and youth justice agency, as set out in Future Direction Plan for Oranga Tamariki.

### **Agencies need to take joint responsibility for improving the wellbeing of the priority populations**

- 11 Oranga Tamariki is just one of many agencies that are jointly responsible for meeting wellbeing needs and improving outcomes for the priority populations. We need to collectively prioritise the needs of these children, young people and their families and whānau and focus on responding immediately, before issues and challenges escalate and impact on long-term outcomes (recommendation four refers).
- 12 The need for agency collaboration was identified as a key issue in *Hipokingia ki te Kahu Aroha Hipokingia ki te Katoa*. The report emphasised the need for cross-agency action to support Oranga Tamariki in its core statutory role and to prevent children

coming to the attention of Oranga Tamariki in the first place. The Action Plan was identified as a mechanism to collectively hold agencies to account.

- 13 Supporting and prioritising the needs of children, young people and their families and whānau must occur at both community and national levels, with collaborative action across both. My expectation is that if Oranga Tamariki identifies an issue that another agency is responsible for, that agency will pull out all the stops to resolve it as soon as possible. And if, and when, things go wrong, agencies will stand together to respond.

### **The Action Plan will bring agencies together to meet the needs of the priority populations**

- 14 The Action Plan commits agencies to collectively deliver key pieces of work that will be crucial to improving the wellbeing of the priority populations. The Action Plan is deliberately high-level and includes many actions that are at an early stage of development. It will be a way for us to hold each other and our agencies to account for improving outcomes for the children and young people with the greatest needs. It also provides a platform to inform further development and implementation of more detailed actions once we learn more about the areas that will make a significant difference.
- 15 The Action Plan includes a focus on prevention, encourages agencies to act as one team, supports partnership and collaboration with hapū, iwi, and Māori organisations, and aims to shift decision making on service and system design to a local, community, or regional level (recommendation five refers).
- 16 Implementation of the Action Plan will support key shifts in the experiences of children and young people, their families and whānau, and communities. Iwi and communities will experience increased coordinated support from agencies, families and whānau will have increased access to the services and supports they need, and children and young people will have their wellbeing supported and their needs met (recommendation six refers).
- 17 Delivery of the Action Plan is also a mechanism to support the transformation of Oranga Tamariki and the delivery of the Oranga Tamariki Future Direction Plan (recommendation seven refers).

### **Further work will ensure the needs of the priority populations are met**

- 18 Finalising and publishing the Action Plan is just the start in a drive towards a shift in how agencies prioritise meeting the needs of the priority populations by ensuring they can access services they need (recommendation nine refers). The in-depth assessments of housing, education and health needs, led by Oranga Tamariki (see action three in the Action Plan), will help shape agencies' thinking on how to prioritise the priority populations for access to services and supports. There are a number of complexities to prioritising the priority populations which will be worked through carefully. This includes the effect that prioritising the priority populations could have on other population groups in accessing services.

- 19 Funding and delivery mechanisms will also be considered as agencies identify further issues that need to be addressed in ensuring priority populations have access to the services they require.

### Legislative requirements

- 20 The Action Plan meets its legislative obligations under the Children's Act 2014. Further detail is included at **Appendix One**.

### Implementation

- 21 The Action Plan will come into force on 11 April 2022. Agencies have started detailed planning for the implementation of each action.
- 22 The Social Wellbeing Board and the Child and Youth Wellbeing Strategy Ministers will work through further detail on implementation, monitor the progress of the Action Plan and hold agencies accountable. Agencies will provide more detail on the implementation of their actions annually at a date that I will specify, as required by s11 of the Children's Act 2014. It is envisaged that in the future the role of the Independent Monitor of the Oranga Tamariki system (proposed in the upcoming Oversight Bill<sup>6</sup>) will include assessing the contributions of all agencies in meeting the wellbeing needs of priority populations.

### Financial Implications

- 23 There are likely to be financial implications arising from the Action Plan, including those identified through the in-depth assessments of need. Options to prioritise the priority populations could have financial implications or lead to changes to service delivery to other populations. The full costs and implications of the Action Plan will be worked through as part of the next phases of work and any funding requirements will need to be considered and prioritised through future budget bid processes.

### Legislative Implications

- 24 At this stage there are no direct legislative implications associated with the Action Plan. Legislative options to address issues may be identified and will be assessed through the normal policy process.

### Population Implications

- 25 Within the priority populations, the Action Plan has a particular focus on tamariki and rangatahi Māori, Pacific peoples and disabled people. This is consistent with the reviews of Oranga Tamariki in recent years, which identified these groups as at risk of worse outcomes within the care and protection and youth justice systems.
- 26 The potential impact on each of these population groups is described in the Action Plan at **Appendix Two**. The in-depth assessments of need described above will

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<sup>6</sup> The Oversight of Oranga Tamariki System and the Children and Young People's Commission Bill is expected to be enacted in late 2022 or early 2023.

investigate the needs of these groups in more detail, how the actions will impact these groups, and how they will be implemented to meet these needs.

### Human Rights

- 27 This proposal is consistent with the New Zealand Bill of Rights Act 1990, the Human Rights Act 1993, and the United Nations Convention on the Rights of the Child.

### Consultation

- 28 The Action Plan has been informed by what we've heard from children, young people and their families and whānau through the *What makes a Good Life* project and the *Te Tohu o te Ora* annual survey. We will ensure that the voices of children, young people and their families and whānau are taken into account in taking forward the work programme under the Action Plan.
- 29 The Action Plan and Cabinet paper have also been created in consultation and/or collaboration with the Department of the Prime Minister and Cabinet, the Treasury, the Ministries for Women and Pacific People, the New Zealand Police, the Public Service Commission, Te Puni Kōkiri, the Accident Compensation Corporation, the Social Wellbeing Agency, Statistics New Zealand, and the Ministries of Social Development, Youth Development, Housing and Urban Development, Health, Corrections, Justice and Education.

### Communications

- 30 The Action Plan will be notified in the New Zealand Gazette and published on the Oranga Tamariki website. Other children's agencies will include links to the Action Plan on their own websites.

### Proactive Release

- 31 Once the Action Plan has been published, I will proactively release this Cabinet paper on the Oranga Tamariki and Department of Prime Minister and Cabinet websites.

### Recommendations

The Minister for Children recommends that the Committee:

- 1 **note** that the Oranga Tamariki Action Plan sets out how chief executives and their agencies will work together to achieve the outcomes set in the Child and Youth Wellbeing Strategy for the core populations of interest to Oranga Tamariki, as required by the Children's Act 2014 (paragraph four refers);
- 2 **note** that, having consulted the Child and Youth Wellbeing Strategy Ministers, I have approved the attached Oranga Tamariki Action Plan (paragraph six refers);
- 3 **note** that Oranga Tamariki social workers are in a unique position, where they are held to account by Family and Youth Courts for the delivery of actions that sit within the remit of other agencies (paragraph nine refers);

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- 4 **note** that it is the responsibility of joint agencies to meet the needs of these core populations of interest. My expectation is that if Oranga Tamariki identifies an issue that another agency is responsible for, that agency will pull out all the stops to resolve it as soon as possible (paragraphs 9-11 refers);
- 5 **note** that the Action Plan includes a focus on prevention, encourages agencies to act as one team, supports partnership and collaboration with hapū, iwi, and Māori organisations, and aims to shift decision making on service and system design to a local, community, or regional level (paragraph 15 refers);
- 6 **note** that iwi and communities will experience increased coordinated support from agencies, families and whānau will have increased access to the services and supports they need (paragraph 16 refers);
- 7 **note** that delivery of the Action Plan is also a mechanism to support the transformation of Oranga Tamariki and the delivery of the Oranga Tamariki Future Direction Plan (paragraph 17 refers);
- 8 **endorse** the attached Oranga Tamariki Action Plan;
- 9 **agree** that relevant agencies will work in conjunction with Oranga Tamariki to identify options to improve access to services to meet the needs of this priority population (paragraphs 18-19 refer); and
- 10 **note** that, if endorsed, the Oranga Tamariki Action Plan will be published on 11 April 2022 on the Oranga Tamariki website.

Authorised for lodgement

Hon Minister Davis

Minister for Children

**Appendices**

**Appendix One:** Summary of how the Action Plan meets legislative obligations

**Appendix Two:** The Oranga Tamariki Action Plan

## **Appendix One: Summary of how the Action Plan meets legislative obligations**

The Action Plan meets the requirements in the Children's Act 2014 (the Act).

The chief executives of the children's agencies have worked together, under the co-ordination of the chief executive of Oranga Tamariki, to develop a draft Action Plan and to submit it to me as the plan Minister, as required by section 8(1) of the Act.

Section 8(2) of the Act states that I must consult with Ministers of children's agencies about the draft plan and then either approve the draft plan or refer the draft plan to chief executives of children's agencies for reconsideration (together with the reasons why I referred it back to chief executives). I consulted with children's Ministers through the Child Youth and Wellbeing Strategy Ministers meeting 8 December 2021, and subsequently referred the draft plan to the chief executives of children agencies for reconsideration.

Section 8(3) of the Act states that following referral from the Minister for reconsideration, the chief executives of children's agencies must reconsider the draft plan and submit a revised plan. After working with agencies to update the Action Plan, the Oranga Tamariki presented me with a final version of the Action Plan on 4 March 2022, which I approved.

Section 8A(2) of the Act calls for the plan to be notified in the *Gazette* after my approval, and for the Action Plan to be published on, and available at all reasonable times from, an internet site maintained by or on behalf of children's agencies. The Action Plan is intended to be published in the *Gazette* and will be published on the Oranga Tamariki website. Other children's agencies will link through to the Action Plan from their own websites.

Section 9(1)(a) of the Act states that the Action Plan must set out the steps that the chief executives of children's agencies will take to work together to achieve the outcomes that the strategy sets out for the core populations of interest to Oranga Tamariki and may also set out any other steps that the chief executives have decided that they will take to work together to improve the wellbeing for these groups. Actions in the Action Plan are designed to achieve the outcomes set out in the Child and Youth Wellbeing Strategy. For example, action 9 focuses on investment in prevention with an initial focus on developing an investment plan for Te Aorerekura- the National Strategy to Eliminate Family Violence and Sexual Violence. This action supports the Strategy outcome for children and young people to be loved, safe and nurtured.

Section 9(2) of the Act requires chief executives to consider how the steps to be set out in the Action Plan will promote the best interests of the core populations of interest to Oranga Tamariki (the 'priority populations'). The best interests of the priority populations have been a key consideration in designing the actions in the Action Plan, for example, action 6 supports s9(2)(b) and (c) by aiming to improve access to services such as education, housing and health for priority populations.