



**ORANGA
TAMARIKI**
Ministry for Children

STATEMENT OF RIGHTS

and other matters

New Zealand Government



Statement of rights

(This statement is for children and young persons in care to read in order to understand their rights to care and support under the National Care Standards)

To help you understand this statement, here are some things to remember:

When we say **OTA**, it means the Oranga Tamariki Act 1989. That is the name of the law that looks after children and young people who need to be brought into care. The OTA says who can do what and what needs to be done when.

When we say **the chief executive**, we mean the person who the OTA says is in charge. There are people who help the chief executive get things done, including social workers and other organisations. The chief executive has to make sure the things they are in charge of actually happen.

When we say **in care**, it means that the chief executive is in charge of looking after you. There will be an order or agreement made about this under the OTA.

When we say **caregiver**, it means the person who the chief executive decides you will live with. This is one of the important decisions that the OTA says the chief executive has to make.

When we say **your support worker**, it means the person who the chief executive has said is in charge of doing the things that need to be done for you. This will usually be a social worker.

When we say **family and whānau**, it means all the people in your family. This includes your siblings, your whānau, hapū, and iwi, and anyone else who is related to you or is like family to you.



When you come into care

If you are in care because you can't live at home at the moment, your support worker's job is to do the things that will be best for you.

If you are in care because you may have broken the law, your support worker's job is to think about what is best for you. They also need to think about other people's safety and about anyone who may have been hurt. If you broke the law, your support worker will work with you to help you put things right.

When important decisions are being made about you, your support worker must –

- make sure you have a chance to say what you want to say
- listen to what you have to say
- help you if you find it hard to tell people how you feel or what you are thinking
- let you know what decisions have been made about you and why.

When you come into care, your support worker will talk to you about why you are in care. They will also tell you–

- the way things should happen while you are in care
- how you should be treated by your caregiver
- how often your support worker will come and see you
- who you can talk to if you have any questions or are worried about anything.

Your support worker will also give you lots of helpful information about other things. This will include things like when you can talk to and see your family and whānau, and when and how important decisions about you will be made.

They will give you the information in the best way to help you understand it.

To work out what you need, you and your support worker will work together to understand–

- what you think and how you feel about things
- how you would like your life to be
- what you are good at and what you need to do better at:
- what you need to–
- feel happy and do well
- feel good about the things that are going on in your life
- stay close to family (including your siblings) and whānau
- know who you are and feel proud of who you are and where you come from.

You and your support worker will also work together to understand what will help you–

- have fun and get to spend time with people you already know
- feel safe
- be healthy
- learn.

Where you can find this:

Section 4A,
OTA

Sections 5,
11, OTA

Regulations 66, 67, and 68

Section 5, OTA
Regulations 7 to 14



Your support worker will make notes, which means they will write down some of the things you talk to them about. They will also share what they write down with you.

Your support worker will work with you and other important people in your life to make a plan to help you. The plan will be written down and your support worker will share it with you.

If you go to live with a caregiver, there will be a check of the caregiver and their family and their house. This is to make sure that you will be safe with them and well looked after by them.

While you are in care

Your support worker has to visit you often, so that they can see how you are doing. Your plan will tell you how often your support worker will visit you.

Your support worker will try and talk to you on your own, just you and them. This is so that you feel comfortable and you can talk about anything you may be worried about.

To find out how you are doing, your support worker will also talk to other people who matter. This might include your caregiver, teachers, family, and whānau.

If your support worker finds out that you aren't doing well or if things have changed a lot for you, they have to talk to you about it and look at how to make things better. If anything important changes, this will be put into your plan.

Your support worker has to make sure you have what you need. Here are some of the things you might need and how your support worker will help with them.

Staying connected to family and whānau

- Your support worker will help you, your family (including your siblings), whānau, and people that are important to you to stay close and connected.
- Your support worker will let your family or whānau know how you are doing. The support worker will talk to them about your plan, and ask them what they think.

Knowing who you are and where you come from

- Your support worker will help you to know about and participate in your culture, language, and religion so you know about yourself and where you come from.

Being able to have things of your own

- Your support worker will help make sure you have your own things like clothes and a backpack and somewhere safe to put them.

Getting the chance to experience good things

- Your support worker will help make sure that you can try new things like sport, drawing, and singing.
- Your support worker will help make sure you can do fun things in your community and with your friends.

Where you can find this:

Regulations 16 to 20 and 24

Regulations 45 to 56

Regulations 26 to 28

Regulation 29

Regulations 30 to 42

Being healthy

- Your support worker will help you to stay healthy. This might include making sure you have check-ups with a doctor, finding someone for you to talk to if you are feeling stressed out, and helping you to take care of yourself.

Learning

- If you are preschool age, your support worker will help you to go to a preschool or playgroup if that would be good for you.
- If you are school age, your support worker will help you to stay at school. They will make sure that you have what you need for school (like stationery and a uniform). They will help you to join in with school activities, and give you extra help to do well in school if you need it.
- If you are old enough to leave school, your support worker will help you to keep going to school if that is best for you. If school isn't best for you, they will help you into training or to find work.
- Your support worker will keep in touch with your teachers so that we can understand what you need to help you to do well.

An important part of your support worker's job is to share information about you and what you need with your caregiver. This helps your caregiver to know the best way to take care of you.

We will help your caregiver learn about your culture, whakapapa, whānau, and other things they need to know and do. This is so they can take good care of you.

If your support worker hears about something from anyone, including you, that makes them think you might not be safe or are not being well cared for, they will help you. They will see if something needs to be done about it and will make sure the information goes to the right people. Remember, your support worker will always be thinking about what is best for you.

If you want to tell someone that something bad or wrong has happened that needs to be made right, you can. Tell your support worker, or another support worker if it is your normal support worker who has done something wrong. They will help you understand what to do, how to do it, and what will happen afterwards.

Your support worker will make sure you have a record of important events and achievements in your life that you can keep. This will include things like photos of your birthdays and of people that are important to you, your art work, and your school reports.

Where you can find this:

Regulation 57

Regulations 58 to 63

Regulation 69

Regulation 69

Regulation 70



If you have to move while you are in care or if you are leaving care soon

Your support worker has to take extra care of you if you need to live somewhere else, need to move home, or are leaving care.

To do this, they will—

- tell you what will happen and why:
- make a plan and support you while things are changing:
- give you as much information about the move as they can, like what the new place will be like and what the people there are like:
- help you meet the people before you move, if that is possible:
- make sure the caregiver or person you are leaving gets the information they need to help you feel good about moving:
- make sure the caregiver or person you are going to live with gets the information they need to help you settle in and feel good about moving:
- make sure you can take your things with you, like your toys and photos:
- help you keep in contact with the caregiver you are leaving if that is best for you.

If you are leaving care soon because you are almost 18, your support worker will help you. They will work with you to understand how ready you are to leave care and what you need to know or learn before you leave.

Your support worker will provide you with advice and assistance before you leave care. To do this, they will—

- help you get a copy of your records of important events and achievements:
- help you learn things that you need to know how to do for yourself, like how to manage money and get health care when you need it:
- help you get official documents you might need, like photo identification and your birth certificate.

If you are leaving care because you are over 18 but you would rather stay with a caregiver after you turn 18, you have the right to live with a caregiver until you turn 21.

Whether you stay with a caregiver or not, your support worker will stay in contact with you until you are 21. Your support worker can also provide you with advice and assistance until you turn 25, if you want it.

Where you can find this:

Regulations 71 to 74

Regulation 75

Regulation 76

Sections 386A, 386B, OTA

(In addition to the statement of rights, we wanted to let you know about other services that are available to you and how we will handle your information)

Advocacy

An advocate is a person that is there for you. They can help you work out what you want to say and can write it down. They can speak for you if you don't want to and come to meetings. An advocate might be someone from your whānau or a person you trust.

If you want an advocate and you don't have one, your support worker can help you find one. You can also talk to VOYCE -Whakarongo Mai.

VOYCE can be there for you by:

- Speaking with you about your care
- Helping you to get the information you need
- Supporting you to share your views
- Helping you to understand decisions being made about you

You can talk to VOYCE by calling 0800 486 923 or chat to them online - www.voyce.org.nz

If something isn't right

If you want to tell someone that something bad or wrong has happened that needs to be made right, you can tell your support worker, or another support worker if it is your normal support worker who has done something wrong. They will:

- help you understand what to do and how to do it
- let you know what support is available
- not tell others what you've said, unless they need to know
- let you know what's happening along the way
- talk to you about what will happen afterwards.

You can talk to your support worker or you can:

- Use the online form on www.orangatamariki.govt.nz/contact-us/feedback
- Google "Oranga Tamariki Feedback" for more help
- Ring Oranga Tamariki for free on 0508 326 459.

Keeping your information safe

Oranga Tamariki only keeps and uses information about you so they can:

- Keep you safe
- Make sure you get what you need
- Help you to have a better life

Information is stuff like:

- Name and address
- Things that are going well
- Things that are not going well
- Your Plan – the plan that will help you have a better life

Oranga Tamariki will keep your information safe. Only people that need to see it will see it.

You can ask your support worker to see any of your information.

Sharing information about you with other people

When a person wants information about you they will only be given only the information they need to do their job and nothing else.

When a person wants information about you or wants to tell someone else that information they have to do their best to:

- Tell you, or if they can't, tell your support worker
- Help you understand what information they need, what it's for and what they want to do with it
- Listen to how you feel to help decide whether they should share the information

Sometimes there is not enough time before they share your information to ask you what you think, but they will try their best.





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