

6 May 2022

Mr Phil Pennington
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Tēnā koe Mr Pennington

Thank you for your email of 9 March 2022 to Oranga Tamariki—Ministry for Children (Oranga Tamariki), requesting the following information under the Official Information Act 1982 (the Act):

1. *A copy of CPP itself, and all its Parts*
2. *A copy/ies of the most substantive report/s OT holds that concerns any review/s (or similar) in the last two years, into any case/s re how the Child Protection Protocol was implemented*
3. *A copy of any and all findings of any such review/s where CPP SOP were not satisfactory, or not complied with*
4. *A copy of any and all findings where there was inappropriate or unsatisfactory use or generation of:*
 - *Tuituia reports*
 - *EVI*
 - *CFI*
 - *EFA*
5. *Any recommendations, outcomes or actions arising from any such review/s*
6. *Details of any actions since to address any shortcomings found in such review/s, including in training, quality assurance, induction of staff*
7. *Details of who at OT was responsible for ensuring the CPP was being followed, at the time there were reviews that found that it wasn't; and if they remain responsible; and what has been done to ensure they manage CPP properly in future*

On 4 April 2022 I advised that Oranga Tamariki was extending this request under Section 15(A)(1)(b) of the Act due to the level of consultation required to provide a response; a date of 6 May 2022 was communicated to you. I sincerely apologise for any inconvenience this delay may have caused you.

1. *A copy of CPP itself, and all its Parts*

The Child Protection Protocol (CPP) guides Oranga Tamariki and the New Zealand Police when responding to reports of concerns that allege abuse, neglect or harm against tamariki, that may constitute a criminal offence. It outlines the process for collaborative work between Oranga Tamariki and Police to ensure that our respective investigations are developed with a focus on the safety and oranga of tamariki and their whānau.

In addition to the specific process, the CPP contains information on how tamariki and whānau can be supported by each agency during and after the CPP's application. This could include support that aims to prevent further instances of harm, neglect and abuse occurring in the future.

In 2021, the CPP was reviewed, and the following changes were made:

- Updated language and references to legislation, including the responsibilities of Oranga Tamariki under section 7AA (obligations in regards to Te Tiriti o Waitangi / the Treaty of Waitangi)
- Amendments to the process to enable agencies to decide together whether the case meets the criteria to proceed under the CPP, and allows either agency to remain involved in the case, if necessary
- Strengthened guidance around support for child victims and their whānau
- The addition of sections addressing cumulative harm and a stronger multi-agency approach as a further consideration under the CPP
- Emphasis is given to ensuring trauma informed approach is adopted to suicide risk

The updated *Child Protection Protocol: Joint Operating Procedure* is publicly available on the Oranga Tamariki Practice Centre. You can find a copy of the CPP here:

<http://practice.orangatamariki.govt.nz/assets/resources/Documents/child-protection-protocol-joint-operating-procedures-dec2021.pdf>

2. *A copy/ies of the most substantive report/s OT holds that concerns any review/s (or similar) in the last two years, into any case/s re how the Child Protection Protocol was implemented*

In the last two years, Oranga Tamariki has only conducted one case-specific review which included consideration of how the CPP was implemented. This was following a complaint made to the Chief Executive's Advisory Panel and to the Office of the Ombudsman.

Due to privacy considerations, we are unable to release a copy of this review. As such, this aspect of your request is refused under section 9(2)(a) of the Act, to protect the privacy of individuals. The need to protect their privacy outweighs any public interest in this information.

3. *A copy of any and all findings of any such review/s where CPP SOP were not satisfactory, or not complied with*
4. *A copy of any and all findings where there was inappropriate or unsatisfactory use or generation of:*
 - a. *Tuituia reports*
 - b. *EVI*
 - c. *CFI*
 - d. *EFA*
5. *Any recommendations, outcomes or actions arising from any such review/s*
6. *Details of any actions since to address any shortcomings found in such review/s, including in training, quality assurance, induction of staff*

In regard to the single case file review undertaken and referred to above, while we are unable to provide you with a copy of the review, we can provide you with a summary of the review's findings, recommendations, outcomes and actions.

This summary is provided pursuant to section 16(1)(e) of the Act. Please note we have considered section 16 of the Act and determined pursuant to section 16(2)(c) that, due to the privacy considerations pursuant to section 9(2)(a), this summary is the appropriate response to ensure that personal and identifying information contained in the findings and recommendations is not included.

Summary of Findings

Oranga Tamariki specifically considered whether the practice, policies and processes followed in this case were in line with the CPP.

The review found that the CPP process was not well embedded at the site involved in the case and many aspects of it were not completed to a high standard. The timeliness of the practice, including as it related to the CPP, was found to be acceptable but practice was not of the depth we would expect to see.

It was found that regular CPP meetings were not held between the Oranga Tamariki site and Police, resulting in a lack of scrutiny and oversight of the practice underway between Oranga Tamariki and Police.

Whilst the review noted that there were areas of CPP practice which could be strengthened, social workers maintained a focus on the wellbeing and best interests of the child.

The review outlined the following recommendations to improve practice in relation to the CPP specific to the site:

- Additional support for CPP implementation and training around CPP compliance to be provided to staff at the site.
- A reflective learning discussion has been held at the site.

We also ensured that the findings influenced the national review of the CPP and as part of the update we communicated the changes to all staff and supported site leaders with the provision of a package to support the Annual Joint Training alongside Police. We are also establishing regular mechanisms to assess regional and national CPP compliance, as required under Part 10 of the CPP.

As part of our national implementation support, we held a briefing session for the nominated dedicated site staff members on the updated CPP and they will then be facilitating alongside Police the national joint training in June.

7. Details of who at OT was responsible for ensuring the CPP was being followed, at the time there were reviews that found that it wasn't; and if they remain responsible; and what has been done to ensure they manage CPP properly in future

See above answer regarding the engagement with the specific site in relation to the review, however, we have clarified through the recent implementation of the CPP annual joint training update, that it is a requirement for each site to have a dedicated CPP contact who is available to consult with the Police on all CPP cases and that there will be an agreed alternative staff member identified for times when the usual CPP contact is unavailable.

In some cases, we also have a dedicated staff member overseeing CPP matters regionally who works with the sites to ensure the process is being followed. Oranga Tamariki and Police are expected to hold a dedicated CPP meeting at least once a month to discuss all current CPP cases. At the specific site in relation to the review, the staff member who will be responsible for being the dedicated CPP contact participated in the implementation briefings.

Oranga Tamariki intends to make the information contained in this letter available to the wider public shortly. We will do this by publishing this letter on our website. Your personal details will be deleted and we will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@ot.govt.nz.

If you are not satisfied with this response, you have the right to ask an Ombudsman to review this decision. Information about this is available at www.ombudsman.parliament.nz or by contacting them on 0800 802 602.

Nāku noa, nā



Michelle Malyon
**General Manager Public, Ministerial and Executive
Services**