

06 June 2024

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Tēnā koe Freda

Thank you for your email, received on 16 May 2024, to Oranga Tamariki—Ministry for Children (Oranga Tamariki), requesting information in ensuring the priority of keeping families together. Your request has been considered under the Official Information Act 1982 (the Act).

You requested:

What is the produce or options put in place to ensure the priority of keeping families together? Rather than the option of uplifting children and splitting up families.

The term ‘uplift’ is commonly used to refer to when tamariki and rangatahi come into the care of the Oranga Tamariki Chief Executive; this is not a term used in Oranga Tamariki.

The Oranga Tamariki Act 1989 (the Act) has specific legislative requirements that include recognising that the primary responsibility for caring for and nurturing tamariki lies with their family, whānau, hapū, iwi, or family group. The Act also requires that support should be provided to families to reduce the risk of a child being removed from their parents, they should only be removed if they are at serious risk of harm and if they are removed they should be cared for within their family or whānau wherever possible.

State intervention is a significant intrusion in the life of a child and their whānau or family and as such should be reserved for situations where safety and wellbeing cannot be achieved with alternative interventions.

Over the last number of years, the numbers of children in care have significantly reduced with a strong focus on working with partners to provide support to families and address early signs of harm. However, there are still times when a child needs to come into the care of Oranga Tamariki because there is no other way to keep them safe. There are several pathways through which a tamaiti can come into the care or custody of Oranga Tamariki. Even in these circumstances, efforts are made to ensure that children can be

cared for within their whānau as much as possible. You can find more information about how children come into care [here](#).

For the majority of children for whom Oranga Tamariki receive a report of concern, supports are provided that do not involve a child coming into custody. Outlined below are some of our key practice policy and guidance on working to assess and ensure tamariki can be safely cared for within their family or whānau where possible. You can also find more information about how we support whānau to prevent children from coming into care [here](#).

Oranga Tamariki takes all allegations of harm seriously and has a statutory responsibility to assess reported concerns. Anyone who is worried about a child or young person can make a Report of Concern (ROC) to Oranga Tamariki. This happens usually when they believe te tamaiti has been or is likely to be harmed, ill-treated, abused, neglected, or deprived, or they have serious concerns about the wellbeing of te tamaiti.

In assessing the ROC, our primary focus is whether the allegations are substantiated and te tamaiti is at risk of harm. For every ROC made, we do not pre-determine the response but follow our assessment approach to understand whether there are current concerns about oranga (wellbeing), including safety, and the actual circumstances and situation of the whānau.

If an individual has concerns for the wellbeing of tamariki, it is the role of Oranga Tamariki to undertake the following steps as part of the ROC pathway:

- consider the concern
- determine the appropriate response for te tamaiti and their whānau
- complete an assessment appropriate to the level of concern
- put in place the support or intervention that te tamaiti and their whānau require if necessary in order to address the concern or increase the safety of te tamaiti

If, after completing an initial assessment, we do not consider that it is necessary to complete further assessment or investigation, the ROC is recorded as requiring no further action (NFA). An assessment or investigation is not necessary if, for example, the information discloses no harm, abuse, neglect, safety, or wellbeing needs for te tamaiti, or if whānau or family are actively pursuing wellbeing for te tamaiti and are willing and able to respond.

Another option at this stage is to refer tamariki and their whānau to another agency, iwi or cultural social service who are able to support them to achieve positive outcomes. We choose this pathway when the needs can be addressed, or the impact on te tamaiti minimised, with the support of other professionals or services and there are indications that the whānau are likely to be receptive to the support.

If it is determined after completing an initial assessment that further action is required, our assessment policies outline the requirement to undertake a child and family assessment or an investigation where there is an allegation that the care, safety, or

wellbeing of te tamaiti is being significantly compromised, thereby creating risk of serious harm for te tamaiti. Information on these policies can be found at the following links:

- [Undertaking a care and protection assessment](#)
- [Intake and early assessment | Practice Centre | Oranga Tamariki](#)
- [Core assessment phase | Practice Centre | Oranga Tamariki.](#)

If an assessment or investigation results in a finding that te tamaiti or rangatahi needs care or protection, a referral for a family group conference (FGC) is made.

The FGC brings together te tamaiti or rangatahi, parents and guardians or people having care of te tamaiti or rangatahi, whānau or family and other key people (including the victim where the conference has been convened in relation to alleged offending) so that everyone participating can:

- hear and discuss relevant information
- consider any care, protection or oranga (wellbeing) concerns or (where applicable) offending behaviour by te tamaiti or rangatahi that may be impacting on te tamaiti or rangatahi and their whānau or family or on the community or public interest
- work together to make decisions and recommendations and formulate a plan that supports the oranga of te tamaiti or rangatahi and their whānau or family, and in the case of offending by a tamaiti or rangatahi any victims and addresses accountability and public safety.

We support tamariki and their whānau or family to create their own solutions to address care or protection concerns through the FGC process. The conference may, after considering the care, protection, or wellbeing concerns for te tamaiti or rangatahi, agree that it is desirable to develop a plan to address them. The plan can include support from other whānau members, the wider community or a range of support agencies and other professionals.

We work with te tamaiti or rangatahi, their whānau or family and others involved to implement the decisions, recommendations and plan agreed at the FGC, and review them as required. The period following the FGC is a crucial time for whānau or family to actively work towards building oranga (wellbeing) for their tamaiti or rangatahi, and to strengthen their own rangatiratanga.

If, however, it is agreed at the FGC that te tamaiti or rangatahi will not remain in, or return to, the care of their parent, guardian, or previous caregiver (and it has not previously been discussed at their hui ā-whānau or family meeting), then the whānau or family must be given time to consider:

- who can provide a safe, stable, and loving home for te tamaiti or rangatahi within their family, whānau, hapū, iwi or family group
- what supports te tamaiti or rangatahi and the people providing them with a new home might need
- how connections to family, whānau, hapū, iwi and marae will be maintained and how we can support them.

If necessary, the FGC must be adjourned to enable enough time for whānau or family to consider these factors. In this case, the FGC plan must state the responsibilities and personal objectives of any parent, guardian or other person who previously had care of te tamaiti or rangatahi and wishes to have te tamaiti returned to their care. Further information regarding the FGC process can be found at the following links:

- [Family group conferences for care or protection concerns | Practice Centre | Oranga Tamariki](#)
- [Preparing for the care and protection family group conference | Practice Centre | Oranga Tamariki](#)
- [Holding the care and protection family group conference | Practice Centre | Oranga Tamariki](#)
- [After the care and protection family group conference | Practice Centre | Oranga Tamariki.](#)

There are times when te tamaiti can be safely cared for within their family or whānau, but where intensive support and oversight may be provided by Oranga Tamariki for a period.

When the care or protection of te tamaiti requires monitoring, and the whānau or family requires assistance to provide safe care, a section 91 support order under the Oranga Tamariki Act 1989 enables formal social work involvement, with a focus on support and monitoring. A support order requires Oranga Tamariki to:

- appoint a social worker to provide support to te tamaiti — this includes the ability to visit and enter the premises where te tamaiti is living at reasonable times
- specify where, and with whom, te tamaiti cannot live
- provide or coordinate the provision of services and resources (including financial)
- monitor the care, protection, and guidance (control) provided to, or over, te tamaiti
- provide an effectiveness report to the court at the expiry of the support order which outlines the response by te tamaiti.

I trust you find this information useful. Should you have any concerns with this response,

I would encourage you to raise them with Oranga Tamariki. Alternatively, you are advised of your right to also raise any concerns with the Office of the Ombudsman. Information about this is available at www.ombudsman.parliament.nz or by contacting them on 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'ND', with a stylized flourish extending from the end.

Nicolette Dickson
Deputy Chief Executive
Quality Practice and Experiences