

## Scope for Thematic Review by the Office of the Children's Commissioner

### Context

The Children's Commissioner announced on 17 June 2019, that his Office would be undertaking "a thematic review of Oranga Tamariki's policies, processes and practices relating to care and protection issues for tamariki Māori aged 0-3 months."

The Children's Commissioner has statutory responsibilities under the Oranga Tamariki Act, 1989 that provide his Office with the mandate to monitor and assess the policies and practices of Oranga Tamariki<sup>1</sup> and to encourage the development of policies and services, designed to promote the welfare of children and young people<sup>2</sup>.

This review also fits within the scope of the general functions of the Children's Commissioner, specifically to "undertake and promote research into any matter that relates to the welfare of children"<sup>3</sup>, to "act as an advocate for children's interests, rights and welfare generally"<sup>4</sup> and to "increase public awareness of matters that relate to the welfare of children."<sup>5</sup>

### Purpose

The purpose of this review is to determine what needs to change to support pēpē Māori (0-3 months) to remain in the care of their whānau in situations where Oranga Tamariki has been notified of care and protection concerns.

### Scope

The scope of this review is to investigate the extent to which Oranga Tamariki practice is complying with the relevant legislative, policies and practices in situations where they have been notified of care and protection concerns for pēpē Māori aged 0-3 months.

This review will also investigate the extent to which the current legislation, policy and practice meets the needs of pēpē Māori and their whānau, and what needs to change.

Review methods will include:

- interviews with whānau, Oranga Tamariki staff and other stakeholders
- a review of New Zealand and international literature
- analysis of relevant data and statistics
- analysis of relevant legislation, policies and practice standards (pre and post 1 July 2019)

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<sup>1</sup> s. 13 (1) (b) (i) Oranga Tamariki Act, 1989

<sup>2</sup> s. 13 (1) (c) Oranga Tamariki Act, 1989

<sup>3</sup> s. 12 (1) (e) Children's Commissioner Act 2003

<sup>4</sup> s. 12 (1) (f) Children's Commissioner Act 2003

<sup>5</sup> s. 12 (1) (i) Children's Commissioner Act 2003

## **Principles**

- We will connect with whānau through people they know and trust
- We will be informed by a te ao Māori world view
- We will be informed by kaupapa Māori methodologies
- We will support best practice by sharing our review findings
- We will uphold the values of OCC – aroha, tika, pono and mātauranga - in the way we work
- We will prioritise ethical practice, ensuring we do no harm

## **Approach**

The review has two phases. The first phase will be from September 2019 – February 2020 and will include:

- analysis of Oranga Tamariki data (statistics)
- analysis of the requirements for Oranga Tamariki practice in this area (legislation, policies and practice standards)
- interviews with 36 – 48 people (12 – 14 whānau) across 4 – 6 geographical areas (whānau experience about what worked and what did not work)

Our focus for this phase, and our interim report, will be on identifying what good practice looks like, noting emerging themes and gathering information to inform Phase Two of this review.

Phase Two of the review will run from March 2020 until mid-2020. The details of this phase (which will include a series of case studies) will be developed early in 2020. This second phase and final report will consider what changes are required, by Oranga Tamariki and other agencies, to support pēpē to remain with their whānau.

## **Engagement**

During Phase One, we will engage kanohi ki te kanohi with a range of whānau who have:

- different experiences of Oranga Tamariki practice, both positive and negative
- different experiences of outcomes for their pēpē eg remain with parents, placed within whānau/hapū/iwi, placed with non-kin caregiver
- differing availability of service provider choices eg city-based with multiple choices, provincial with less choice, rural with few choices
- different experiences with a range of service providers types eg large NGOs, smaller community organisations, informal helpers

## **Ethics**

We are currently convening an ethics panel to provide us with guidance on our methodology and approach to engaging with whānau. The panel will be made up of OCC and external staff who have experience and expertise in research ethics.

## **Reporting**

Our first interim report will be available early in 2020. The Office plans to release its final report in mid-2020.