

**Response to recommendations from the Office of the
Children's Commissioner's monitoring visit to:**

Puketai Care and Protection Residence

Visit date - April 2022

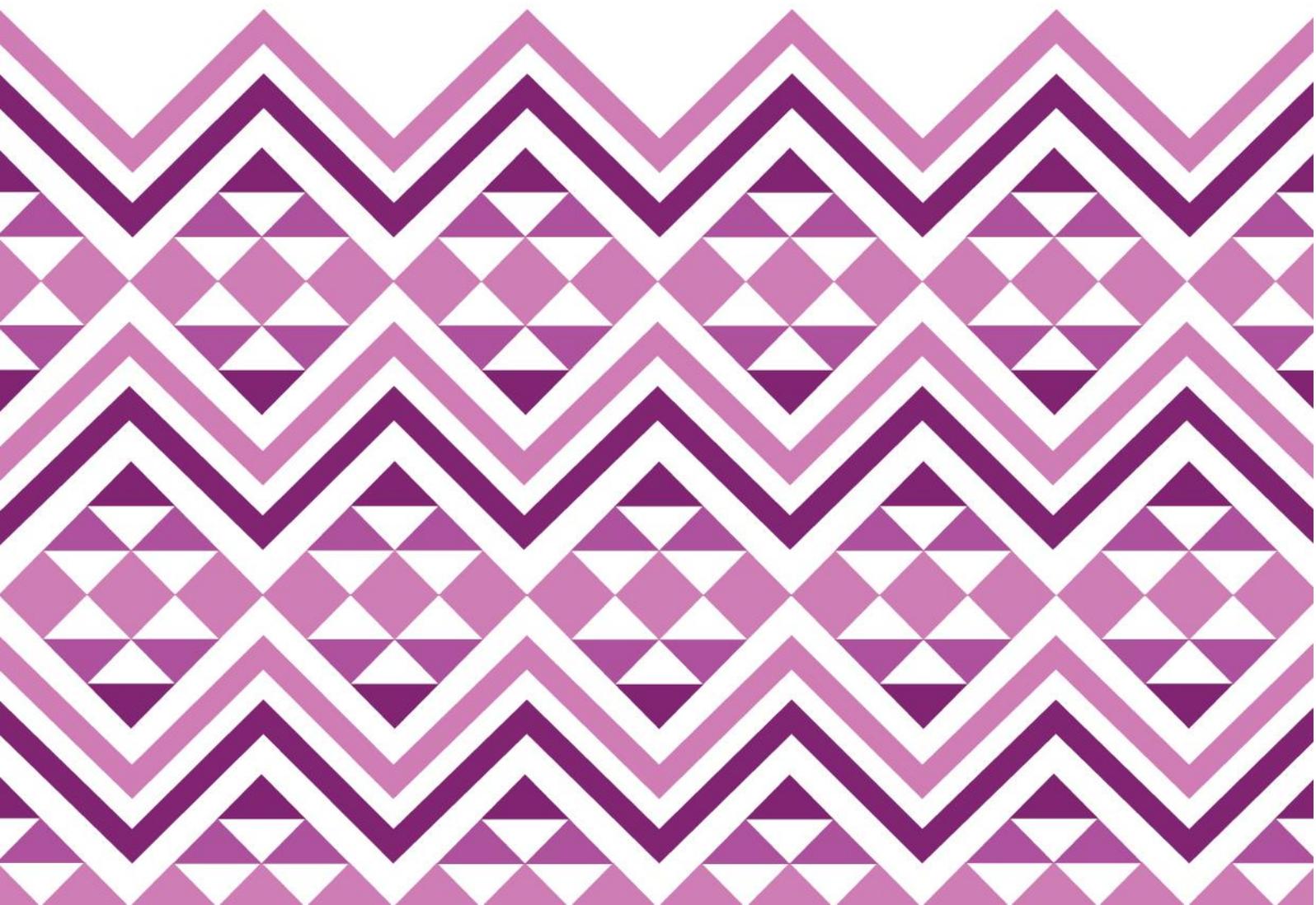


Table of Contents

Introduction	1
Recommendations Summary	2
Response to Systemic Recommendations.....	3
Response to Facility Recommendations	7



Introduction

Puketai is an Oranga Tamariki—Ministry for Children (Oranga Tamariki) Care and Protection Residence located in Ōtepoti - Dunedin.

In April 2022, staff from the Office of the Children’s Commissioner (OCC) carried out an unannounced monitoring visit to Puketai Youth Justice Residence.

Puketai has capacity for eight tamariki and rangatahi. Under the Oranga Tamariki Act (1989), the legal status which rangatahi are detained at the residence by include:

- section 78 - Custody of child or young person pending determination of proceedings or in urgent cases.
- section 101 – Custody orders

The purpose of the visit was to assess the quality of Oranga Tamariki services against the seven domains relevant to the OCC’s role as a National Preventive Mechanism under the Optional Protocol to the Convention Against Torture and Cruelty (OPCAT). The seven domains are:

- Domain 1: Treatment
- Domain 2: Protection systems
- Domain 3: Material conditions
- Domain 4: Activities and contact with others
- Domain 5: Medical services and care
- Domain 6: Personnel
- Domain 7: Improving outcomes for mokopuna Māori.

The draft OPCAT report for Puketai Care and Protection Residence was shared with Oranga Tamariki on 26 July 2022.

Recommendations Summary

The OPCAT report for Puketai Care and Protection Residence makes eight recommendations. Oranga Tamariki accepts all of these.

Strengthening practice is an organisational priority and we continue to work towards ensuring consistent, quality practice, that is collaborative, culturally responsive and meets the needs of tamariki and rangatahi. We are committed to achieving better outcomes for tamariki and rangatahi.

Recommendations	Status
Systemic Recommendations	
1. Review the grievance process. It should be independent and impartial and provide a clear mechanism for keeping mokopuna informed of progress.	Accepted
2. Review the COVID-19 policy for consistent practice across residences and to enable face to face contact for mokopuna and independent advocates.	Accepted
3. Develop a robust strategy to transition mokopuna from residence that includes a range of suitable specialist placements, particularly for those with complex needs.	Accepted
4. Develop and implement a workforce strategy to address appropriate staffing levels, recruitment (particularly for kaimahi Māori) and training in all residences.	Accepted
Facility Recommendations	
1. Ensure all Individual Care Plans, including transition plans, are signed by mokopuna, dated and completed to a consistent standard, ensuring mokopuna and whānau involvement.	Accepted
2. Ensure all staff engage in on-going cultural development, are supported to learn te reo Māori and have the ability to engage in a wide range of cultural activity with mokopuna.	Accepted
3. Ensure unit rules are explained in the admission process and that these are consistently applied by all staff. Any variances need to be fully explained to mokopuna in ways they can understand.	Accepted
4. Provide regular one-on-one supervision including cultural supervision for all staff.	Accepted

The Oranga Tamariki responses to the Puketai Care and Protection OPCAT report recommendations are detailed in the remaining sections of this report.

Response to Systemic Recommendations

Below are the Oranga Tamariki responses to the systemic recommendations made in the Puketai OPCAT report.

Recommendation 1

Review the grievance process. It should be independent and impartial and provide a clear mechanism for keeping mokopuna informed of progress

Response

As part of the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018, every tamariki and rangatahi is entitled to receive information about what they can expect in our care or custody and to be supported to raise any concerns they have. This includes ensuring information about making complaints, accessing support services, and independent advocacy is available to all tamariki and rangatahi.

In August 2021, a project, Manaaki Kōrero, commenced to review the Oranga Tamariki feedback and complaints systems. Manaaki Kōrero is a project that involves Oranga Tamariki partnering with VOYCE – Whakarongo Mai to enable tamariki, rangatahi and whānau to co-design feedback, complaints, information, advice, and assistance processes that are 'fit-for-whānau'. It also addresses Action 1.4 of our Future Direction Plan: [OT-Future-Direction-Action-Plan.pdf \(orangatamariki.govt.nz\)](https://www.orangatamariki.govt.nz/future-direction-plan) (refer to systemic recommendation 3 for a more detail on the our future direction).

While this co-design work is underway, Oranga Tamariki is implementing a set of immediate improvements to the residential grievance process based on feedback from tamariki and rangatahi. Over the next few months identified improvements to be implemented include:

- Improving the language and accessibility of tools/resources.
- Developing multiple mechanisms to support tamariki and rangatahi to make a complaint.
- Improving investigation standards and training for kaimahi.
- Increasing the profile of advocacy in residences.
- Teaching self-advocacy as a social skill.

VOYCE - Whakarongo Mai has regularly visited Puketai while tamariki and rangatahi are present at the facility. VOYCE - Whakarongo Mai has open access to Oranga Tamariki Residences, and their presence is always welcomed.

When tamariki and rangatahi arrive at our Care and Protection Residences, they receive introductory packs that include information about how to make a complaint and access independent advocacy. This information is explained in a way that is appropriate to their age, development, language, and considers any disability. Care and Protection Residences also display information about the role of VOYCE - Whakarongo Mai around each residence.

Rangatahi can have access to a phone to contact VOYCE - Whakarongo Mai and the option to meet representatives when they visit the residence. They can also request a visit from a VOYCE representative when they need advocacy for a specific concern. In addition, other options for expressing themselves, such as video calling and recording, can be used with tamariki and rangatahi as required.

Recommendation 2

Review the COVID-19 policy for consistent practice across residences and to enable face to face contact for mokopuna and independent advocates.

Response

Throughout the pandemic it has been our focus to take every precaution possible to protect tamariki, rangatahi, whānau, caregivers, kaimahi and the communities we work with from COVID-19.

Oranga Tamariki policies and guidance for the management of COVID-19 reflect the requirements of the Government's COVID-19 Protection Framework which came into force from 3 December 2021, replacing the Alert Level Framework.

When COVID-19 first hit in early 2020, Oranga Tamariki set up a centralised Incident Management Team based on the Coordinated Incident Management System model, which is designed for emergency or incident management in the short and medium term. In late 2021, we implemented a longer-term structure, the COVID-19 Coordination and Support Group, which presently sits within our Systems and Contingency Management Team, Business Operations, Service Delivery.

One of the key functions throughout our national response to COVID-19 has been to regularly review policies and guidance to ensure they align with the Government's latest advice. Any changes to COVID-19 policies and guidance are communicated to kaimahi by email as a 'COVID 19 Response Update', which over the past two years has often occurred several times weekly due to the constantly evolving pandemic environment.

A suite of COVID-19 policies and guidance are currently available for all kaimahi including:

- COVID-19 Protection Framework traffic light settings
- Oranga Tamariki COVID-19 Protection Framework Operating Matrix
- Working in a Pandemic Environment
- Guidance for Close Contacts and RAT tests
- Vaccination and Visitor Management Guide
- Screening tool
- COVID-19 Travel Policy
- COVID-19 Health and Safety Guide
- What to do if you test positive for COVID-19
- Guidelines for Staff and Managers
- Support for wellbeing conversations
- Guide for Visiting Managed Isolation and Quarantine Facilities
- Vaccination mandates.

These documents are readily available on our COVID-19 page on Te Pae (our intranet) and provide detailed information for kaimahi on key areas like safety, vaccination, travel, and practice. In addition, further specialised guidance is available to support residence kaimahi, for example when to use Rapid Antigen Tests and details of the Close Contact Exemption for critical workers. There were also regular reminders provided to all kaimahi for COVID-19 practice guidance, settings and policies.

Residences are a particularly vulnerable environment, where the spread of COVID-19 can have a significant impact, so additional protections have been in place. When community transmission of the Omicron COVID-19 variant was at the highest peak earlier this year our critical workforce in residences was significantly impacted, with many kaimahi isolating after testing positive or being a household contact. To safeguard business continuity and further reduce potential exposure events for kaimahi to the virus, on 7 March 2022 an operational decision was made that all visits to residences occur using remote technology instead of in-person,¹ with this decision reviewed every three weeks thereafter. This arrangement ended when New Zealand moved back to the COVID-19 Protection Framework Orange traffic light setting on 14 April 2022.

¹ This did not include the Office of the Children's Commission who have an open mandate to visit residences at their pleasure.

Puketai kaimahi have been reminded of the importance of following current COVID-19 policies and guidance in our ongoing efforts safeguard our kaimahi and those we work with against the virus.

Recommendation 3

Develop a robust strategy to transition mokopuna from residence that includes a range of suitable specialist placements, particularly for those with complex needs.

Response

A new direction for Oranga Tamariki has been set. The changes to improve the Oranga Tamariki system are set out in our Future Direction Plan, which draws together the themes from the Ministerial Advisory Board's report, *Hipokingia ki te Kahu Aroha Hipokingia ki te Katoa*, as well as recommendations from previous reviews and the Waitangi Tribunal inquiry. An important part of the Future Direction Plan is the closure of Care and Protection Residences, which is detailed in Action 1.7, page 6 here: [OT-Future-Direction-Action-Plan.pdf \(orangatamariki.govt.nz\)](#).

Work is underway to develop new options to transition away from the current Care and Protection Residences, which includes a comprehensive new model of care for our tamariki and rangatahi with the highest needs. This model will sit within a broader set of care arrangements and support for high needs tamariki including Māori, Pasifika, and those with disabilities. While this occurs, ensuring transitions for tamariki and rangatahi are well supported will continue to remain a priority.

For Care and Protection Residences, transition planning begins with social workers and the need to show where the tamariki and rangatahi will transition to and the planning for this. This is crucial, as it helps to alleviate any anxiety or uncertainty tamariki and rangatahi may have regarding their ongoing care.

While in a residence, the Multi Agency Team (MAT) oversee transition planning through regular hui. MAT hui include representation from Oranga Tamariki residences and sites, health and education services, and any other provider who may be involved with or planning care for te tamaiti or rangatahi. Whānau are also encouraged to attend MAT hui.

Tamariki and rangatahi are invited to attend MAT hui or their views are sought and represented if they prefer not to attend. Tamariki can also provide input into their transition planning by speaking to their whānau, residence staff, and social worker.

Tamariki and rangatahi also have an 'All About Me' plan which is completed by their social worker and residence kaimahi in collaboration with them and their whānau. This plan identifies the care requirements of te tamaiti including any relevant case history, and how their current strengths, hopes and dreams can support any overarching court plan, future objectives, and transition planning.

VOYCE - Whakarongo Mai visit Oranga Tamariki residences on a regular basis and provide independent advocacy services for tamariki and rangatahi, which also helps to elevate their voice in transition planning. Further work is underway to strengthen the understanding of tamariki and rangatahi about accessing VOYCE - Whakarongo Mai for this purpose.

National oversight of transitions occurs across a range of business units, including bi-weekly national residential services transition meetings, and regular meetings with the region and site kaimahi. Meetings with the National High Needs Hub also occur, as they manage specialist care placements and are often instrumental in establishing these. Updates and areas of concern are communicated monthly to the Service Delivery Deputy Chief Executive and Regional Managers.

Throughout the transition planning mechanisms identified above, tamariki and their whānau are continually provided with regular updates and encouraged to have their say in the setting of goals together.

Recommendation 4

Develop and implement a workforce strategy to address appropriate staffing levels, recruitment (particularly for kaimahi Māori) and training in all residences.

Response

An important part of the Oranga Tamariki Future Direction Plan is the development of a workforce strategy that will support high quality social work, as detailed in Action 2.5. A key part of this work focuses on training, career progression pathways, leadership and professional development and workforce planning. Action 2.5 can be found on page 7 of the Future Direction Plan here: [OT-Future-Direction-Action-Plan.pdf \(orangatamariki.govt.nz\)](#). It is anticipated this will help to better support all existing kaimahi in their respective roles, and with future recruitment.

While the Oranga Tamariki workforce strategy is being developed, there are some immediate actions being undertaken across Oranga Tamariki residences to assist with this, including:

- Standardising job titles and requirements for these roles across Care and Protection and Youth Justice Residences. This work is due to be completed by the final quarter of 2022.
- Progressing workforce development strategy with new training and development opportunities for Oranga Tamariki residence kaimahi:
 - Youth Justice Residences have developed a residential workforce competency framework, which focuses on Collaboration, Leadership, Kaimahi Ora, Workforce Qualifications and Residential Curriculum. In partnership with the Social Service Workforce Development Council Toitū te Waiora, Oranga Tamariki has made an application to NZQA to micro-credentialise STAR (Safe Tactical Approach and Response) training, Te Waharoa (induction programme) and Leadership training for residence staff. This will ensure that these programmes meet tertiary and industry standards.
 - We are also working with Social Service Workforce Development Council Toitū te Waiora to design and create qualifications for the care sector in partnership with New Zealand Qualifications Authority (NZQA). These qualifications will support the development of specialised practice and competencies to care for rangatahi with complex needs. In mid-July 2022, kaimahi from residential care met with Te Pūkenga (Polytechnic) and Toitū te Waiora to explore workforce development needs. Feedback from this meeting is being analysed to determine whether a bespoke qualification is required or whether existing unit standards can be used, and then a plan will be developed. The next meeting to progress this work is scheduled for 18 August 2022.
 - Care and Protection Residences are preparing a workforce development strategy embedding the Te Waharoa induction programme into residences and supervised group homes and developing a workforce development programme with a future focus. This will take place throughout 2022. One part of this plan is to establish pathways for accredited training for Youth Workers in residences. Care and Protection residences have appointed a National Training Coordinator and are recruiting Training Leads in the Care and Protection Residences who will focus on the development of a workforce development strategy and further embedding training programmes already underway (such as Alert, Māori Practice Framework and Safety Intervention) for all residential kaimahi.

Response to Facility Recommendations

Below are the Oranga Tamariki responses to the facility recommendations made in the Puketai Youth Justice Residence OPCAT report.

Recommendation 1

Ensure all Individual Care Plans, including transition plans, are signed by mokopuna, dated and completed to a consistent standard, ensuring mokopuna and whānau involvement.

Response

We acknowledge the importance of ensuring Individual Care Plans (ICP) are maintained to a consistently high standard and that tamariki and rangatahi are involved in the development of those plans. This is a requirement as per regulation 3 of the Oranga Tamariki (Residential Care) Regulations 1996 ('Residential Care Regulations') at every Oranga Tamariki Residence.

Regulation 3 of the Residential Care Regulations specifies that each tamariki and rangatahi in an Oranga Tamariki Residence who remains for longer than five days must have an ICP. The ICP sets out the objectives tamariki and rangatahi are required to complete while at Puketai and their responsibilities when achieving these. The ICP also outlines the supports, programmes and services tamariki and rangatahi can access to help them do this.

The requirements for needs assessments and related planning for tamariki and rangatahi are further set out in the Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018 ('National Care Standards'). The All About Me plan is designed to enable kaimahi to support and respond to the needs of tamariki and rangatahi in our care in line with the National Care Standards, and this helps to inform the ICPs for rangatahi at Puketai, including their transition planning (refer to response to systemic recommendation 3 for more details on transitions).

Kaimahi at Puketai and across Oranga Tamariki must ensure that tamariki and rangatahi have the information and support they need to freely express their views and actively participate in their care planning. This is a requirement of our 'Participation of tamariki — providing information, ensuring understanding and incorporating their views' policy. Similarly, it is equally important to involve whānau at every step of the care planning process.

Since the OCC's visit to Puketai, the Team Leader of Clinical Practice (TLCP) has undertaken a review of recent and current ICPs. This work has focused on addressing inconsistencies and identifying areas to further lift quality. The report findings have been discussed with clinical staff and they have been reminded of the importance of keeping accurate records so that key actions and decisions are clearly evidenced and transparent. The TLCP will continue to monitor this aspect of practice.

A new Quality Lead role has been recruited at Puketai. This role oversees quality assurance functions at Puketai and reports directly to the Residence Manager as part of the management team. This role is also supported by a National Quality Lead who has oversight of all national quality assurance functions for Care and Protections Residences. The Quality Lead role will monitor progress against this recommendation.

Recommendation 2

Ensure all staff engage in on-going cultural development, are supported to learn te reo Māori and have the ability to engage in a wide range of cultural activity with mokopuna.

Response

Oranga Tamariki is committed to developing the cultural competency of its kaimahi at Puketai and across the organisation. An important part of the Oranga Tamariki Future Direction Plan is the development for staff (in conjunction Te Wānanga o Aotearoa, Te Whare Wānanga o Awanuiārangi and Te Wānanga o Raukawa) a suite of appropriate cultural competency programmes to ensure staff can engage with whānau and wider communities in culturally responsive ways. This is set out in Action 2.4 of the Future Direction Plan which can be found here: [OT-Future-Direction-Action-Plan.pdf \(orangatamariki.govt.nz\)](#)

The first phase of the work described above is Tū Māia. Launched in April 2022, Tū Māia is a 21-week learning programme designed and delivered by Te Hāpai Ō partners, and New Zealand's leading the Māori Tertiary providers. The aim is for Oranga Tamariki kaimahi to build cultural capability and competencies to ensure a culturally authentic, inclusive, fair workplace, where oranga tamariki is the focus. Tū Māia is aligned to Te Arawhiti Māori Crown Relations Capability Framework (Whāinga Amorangi) competency areas, including:

- Understanding racial equity and institutional racism.
- New Zealand history and the Treaty of Waitangi.
- Worldview knowledge.
- Tikanga/kawa.
- Te reo Māori.
- Engagement with Māori.

All Oranga Tamariki kaimahi, including those at Puketai, will be encouraged to attend this programme over the next two years.

To further support cultural competency, Oranga Tamariki is undertaking a practice shift across the organisation. This involves shifting towards relational, restorative, and inclusive practice that sees te tamaiti in the context of whānau and within an oranga frame. This approach also considers the impacts of individual and collective trauma when tamariki and whānau have experienced challenging events.

Our practice shift follows the enhancement of our Practice Framework, bringing together a mana-enhancing paradigm for practice with a Te Ao Māori informed framing of oranga. The shift to practice more strongly framed in Te Tiriti o Waitangi supports lifting the cultural competency of kaimahi and provides for bicultural support and development to elevate the practice competency of practitioners. This will support kaimahi to work in ways that recognise and value the inherent mana of the tamariki and whānau we work with and will help improve outcomes for tamariki and rangatahi Māori.

Puketai kaimahi have completed the Oranga Tamariki Practice Shift training that supports this new framework, with most staff also having completed the Māori Practice Framework workshops. This training will be further delivered across 2022 as a focus of the Workforce Development Strategy.

As Puketai kaimahi continue to develop their cultural competency, they remain committed to integrating Te Ao Māori and Māori Matauranga in their work and activities with tamariki. To do this, kaimahi are being supported by the residence's Kaiwhakaako (Cultural Advisor), to grow their knowledge, understanding and application of tikanga Māori ways of work working in their roles.

Māori kaimahi at Puketai can attend Te Roopu. This is a forum for kaimahi Māori at the residence to meet and consider new ways of integrating matauranga Māori in their mahi with rangatahi Māori. Te Roopu is active in all Oranga Tamariki Residences, enabling collective learning from these forums.

Recommendation 3

Ensure unit rules are explained in the admission process and that these are consistently applied by all staff. Any variances need to be fully explained to mokopuna in ways they can understand.

Response

Puketai acknowledges the importance of ensuring that unit rules are explained as part of the admission process and that these are consistently applied by all staff, and any variances are fully explained in ways that tamariki and rangatahi can understand. It is crucial that all residence kaimahi behave consistently to create a high degree of predictability and a structured residential environment where tamariki and rangatahi feel safe. An important way of achieving predictability in the lives of tamariki and rangatahi is by giving clear behaviour expectations.

Ensuring a high degree of predictability is especially important for the high and complex needs tamariki and rangatahi we work with in residences, as they can be hypervigilant and easily triggered by abrupt transitions and changes in expected routines. When this occurs, their internal sense of safety can be quickly destabilised with little or no warning, which can result in their behavioural dysregulation.

It is also important that all our residence kaimahi provide tamariki and rangatahi with information in a way that is appropriate to their age, stage of development, culture, and any disability they may have. It is important that tamariki and rangatahi understand their right to have information as well as an explanation of any actions that significantly affect them. These include legal proceedings, family group conferences, options that are available and how these could affect them, and all plans.

When a tamaiti or rangatahi arrives at a Puketai, kaimahi ensure te tamaiti or rangatahi completes the residence's induction or orientation programme, which includes being told about the unit rules. Orientation information and unit rules are carefully explained by staff based on each individual needs set out in their care planning.

After the admission process is completed, unit rules and any required behavioural expectations are repeated to tamariki and rangatahi by kaimahi several times daily. This occurs at the start and end of each new staffing shift during group hui, with the purpose of these hui being to outline the daily structure and activities tamariki and rangatahi can expect.

Behavioural expectations can also be used by kaimahi with te tamaiti or rangatahi as a teachable moment. Teachable moments are learning opportunities at times when te tamaiti or rangatahi behaves inappropriately or is having difficulties managing distressing feelings like anger, frustration or anxiety. Kaimahi can help te tamaiti or rangatahi to problem solve, develop coping strategies, or make appropriate choices, and with ongoing support, they can then learn and practice the skills to manage their feelings and behaviour in a socially acceptable way.

Kaimahi also regularly deliver programmes that focus on ensuring tamariki and rangatahi understand rules and behavioural expectations. These programmes include teaching tamariki and rangatahi about their rights.

Care planning is another mechanism that can be used to help ensure tamariki and rangatahi understand behavioural expectations. As detailed in facility recommendation 1, Individual Care Plans and All About Me Plans provide objectives for te tamaiti and rangatahi to achieve while at Puketai, and this can include behavioural based goals. These plans can also set out clear guidelines for kaimahi on what they can expect when helping te tamaiti or rangatahi to manage themselves.

The management team at Puketai will continue to monitor this aspect of practice and will explore and track improvement against this recommendation using shift briefings and debriefings.

Recommendation 4

Provide regular one-on-one supervision including cultural supervision for all staff.

Response

Oranga Tamariki is committed to developing supervision and encourages the kaimahi make use of all forms of supervision (dyad or supervisor/supervisee supervision, group supervision, peer supervision, cultural supervision) to reflect, learn and stretch. Focusing on kaimahi ora is also an important part of the supervision process.

The development of supervision is an organisation priority and forms part of the Oranga Tamariki Future Direction Plan. We have committed to working with the Social Workers Registration Board to introduce micro-credentialing for supervision and other specialist areas, which recognises the skills and knowledge that are required by supervisors and other specialist roles, as set out in Action 4.3 of the Future Direction Plan which can be found here: [OT-Future-Direction-Action-Plan.pdf \(orangatamariki.govt.nz\)](#)

As detailed in our response to facility recommendation 2, in line with our new practice shift and framework, Oranga Tamariki is also updating its supervision policy to reflect our commitment to the Treaty of Waitangi, mana-enhancing practice, and Te Ao Māori principles of oranga that support mana tamaiti, whakapapa and whanaungatanga. This is an important part of meeting our obligations under section 7AA of the Oranga Tamariki Act 1989. We are developing a permanent policy for cultural supervision in line with our section 7AA commitment, as increasing the cultural competence of our workforce is an organisational priority.

Ensuring regular professional supervision is a priority. As per our professional supervision policy, the Social Work Registration Board's policy requires that social workers "... *access regular and appropriate supervision at least monthly and in a manner that is consistent with reasonable expectations of the levels of skill and practice ability of the individual.*" In this regard, registered social workers at Puketai undertake regular dyad supervision, which is facilitated externally. As per the same policy, youth workers are provided with group supervision every three weeks. In some instances, when youth workers have specific development needs, one to one supervision is provided.

At present Puketai is not resourced to provide one to one supervision for all youth workers. Further work on supervision practice will be developed throughout 2022 to include a more specific focus on supervision practice for youth justice and care and protection residential facilities and increasing the frequency and type of supervision for youth workers is being considered as part of this work.

In addition to supervision, Puketai kaimahi take part in daily briefings and debriefings before and after each shift to support open communication and planning, providing another forum to support individual and team learning and reflection. Kaimahi also take part in training days every three weeks, further developing their practice.