

Report



MINISTRY OF SOCIAL
DEVELOPMENT
TE MANATŪ WHAKAHIATO ORA

Date: 12 June 2024 **Security Level:** In Confidence
To: Hon Louise Upston, Minister for Social Development and
Employment
File Reference: REP/24/6/511

Cover report: Advice package to progress changes to the oversight of the Oranga Tamariki system

Purpose of the report

- 1 This report provides an overview of two related reports that support progressing your intended changes to the oversight of the Oranga Tamariki system and report back to Cabinet in July 2024.

Recommended actions

It is recommended that you:

- 1 **note** that key policy decisions to inform legislative changes to the proposed Cabinet paper are set out in the report titled "Key policy decisions required to progress changes to the oversight of the Oranga Tamariki system"
- 2 **note** that a revised Terms of Reference for the reviews of the Oversight of Oranga Tamariki System Act 2022 and Children and Young People's Commission Act 2022 that incorporates feedback from targeted engagement is set out in the report titled "Outcomes of targeted engagement regarding current priorities in the oversight of the Oranga Tamariki system"
- 3 **note** that a summary of findings from targeted engagement is attached to the report mentioned in recommendation 3, which is intended to be publicly released as part of the proactive release of the forthcoming Cabinet paper
- 4 **note** the timeline provided in this report laying out the next stages of your intended changes to the oversight of the Oranga Tamariki system

- 5 **agree** to offer to meet with the Independent Children’s Monitor and the Children and Young People’s Commission (together with officials) to discuss a draft Cabinet paper during the Ministerial consultation period.

AGREE/DISAGREE



Harry Fenton
Acting General Manager
International, Disability, and Generational
Policy

12/06/2024

Date



Hon Louise Upston
Minister for Social Development and
Employment

20240615

Date

Background

- 2 On 2 May 2024, you publicly announced you intend to make changes to strengthen the oversight of the Oranga Tamariki system. These changes include:
 - 2.1 making the Independent Children’s Monitor (Monitor) an independent Crown entity
 - 2.2 restructuring the Children and Young People’s Commission (Commission) to have a single Commissioner, and
 - 2.3 commencing independent reviews of the Oversight of Oranga Tamariki System Act 2022 (Oversight Act) and Childrens and Young People’s Commission Act 2022 (Commission Act).
- 3 We have been working with you, entities in the oversight of the Oranga Tamariki system, and other key stakeholders to prepare these changes. This advice pack seeks your decisions and feedback to produce a paper for you to take to the Cabinet Social Outcomes Committee in July 2024.

Your advice pack includes two reports

Key policy decisions required to progress changes to the oversight of the Oranga Tamariki system

- 4 This report seeks your direction on the outstanding policy issues required to finalise your legislative approach to strengthening the oversight of the Oranga Tamariki system. These decisions are related to the new proposed structure of the Monitor and Commission. Decisions from Cabinet are required to develop drafting instructions for the *Strengthening the Oversight of the Oranga Tamariki System Omnibus Bill* (the Bill).

Outcomes of targeted engagement regarding current priorities in the oversight of the Oranga Tamariki system

How targeted engagement impacted the Terms of Reference for reviews in the oversight of the Oranga Tamariki system

- 5 This report presents, for your agreement, a revised Terms of Reference (ToR) for the reviews of the Oversight Act and Commission Act, which has been informed by our targeted engagement. You are asked to make decisions on key changes which are highlighted in the attached ToR.

Strengthening oversight of the Oranga Tamariki system: Summary of engagement

- 6 Attached to the ToR report, the engagement summary briefing provides a breakdown of your targeted engagement and the key themes which emerged when speaking with stakeholders. Many of these themes have been considered and incorporated into the revised ToR. Other feedback was

considered out of scope but has been summarised for your attention as they provide valuable insight into the perspectives of key stakeholders.

- 7 We propose that the engagement summary briefing be publicly released as part of the proactive release of the forthcoming Cabinet paper. This will enable us to communicate back to those stakeholders we engaged with so they can see how we have captured feedback.

Next steps

Meeting with the Monitor and the Commission

- 8 We suggest that you offer to meet with the Monitor and the Commission (either together or separately) to go through the draft Cabinet paper, with officials attending in support. This will give you an opportunity to test the impact of your proposed changes in advance of Cabinet consideration and provide them with an opportunity to directly raise any implementation issues. Good timing for any meeting would be during the Ministerial consultation period 25 June to 9 July 2024, so we can incorporate any revisions to the Cabinet paper arising from the meeting.
- 9 As we have done so far, we will continue to engage with the Monitor, the Commission, and the Office of the Ombudsman and get their feedback into the Cabinet paper process alongside departmental consultation. We will update them and departments on your decisions from these reports.

Updated proposed timeframe

- 10 Our current timeline to progress your priorities is below:

Date	Cabinet process
17 June	Decisions from you on policy issues and revised draft terms of reference for the Acts review
19 June	You receive a draft Cabinet paper seeking agreement to commence Ministerial and departmental consultation
26 June	You will receive an update on the review procurement process
25 June - 9 July	Ministerial and departmental consultation are underway Any meeting you may have with the Monitor and the Commission
10 July	You receive a final Cabinet paper seeking approval to lodge
18 July	Lodge Cabinet paper in CabNet
24 July	Cabinet Social Outcomes Committee meeting

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Author: Sashika Hendry, Policy Analyst, Child and Youth

Responsible manager: Paul Dickey, Principal Analyst