



03 JUN 2021

Tēnā koe

On 16 April 2021, you emailed the Ministry of Social Development (the Ministry) requesting, under the Official Information Act 1982 (the Act), the following information regarding before, after school care and holiday programmes:

1. *How parents can make complaints about providers through MSD*
2. *How many complaints the Ministry receives, annually if those figures are available*
3. *How audits of providers are done, how frequently*
4. *The process if a provider is not up to scratch*
5. *What reports are produced from the audits and who receives them*
6. *If providers have been shut down for not being up to scratch and if so, how many.*

The Ministry's Out of School and Recreation (OSCAR) providers deliver before and after school care, holiday programmes, and camps for children up to the age of 13 (or children aged up to 18 years if they are eligible to receive a Child Disability Allowance) who are enrolled in and are attending school.

To ensure that OSCAR programmes are appropriately managed and provide a safe and adequate care environment for children, the Ministry uses the Social Services Accreditation (SSA) process involving regular assessments against the required Social Sector Accreditation Standards. An accredited provider will have a current letter or certificate of accreditation.

More information about the accreditation standards relevant to OSCAR providers can be found here: <https://www.msd.govt.nz/what-we-can-do/providers/social-services-accreditation/accreditation-standards.html>

For the sake of clarity, I will address each question in turn.

1. *How parents can make complaints about providers through MSD.*

Complaints to the Ministry about OSCAR providers can be made in a number of different ways (e.g. to staff at contact centres and service centres, and by emailing the Ministry etc.), depending on the nature of the complaint. If a parent believes, however, that an OSCAR provider is in breach of the relevant Social Sector Accreditation Standards, their complaint can be referred to the Social Services Accreditation team for investigation and resolution. Member of the public are also able to contact this team directly by email: Social_Services_Accreditation@msd.govt.nz.

For providers that operate without government accreditation, the Ministry has no oversight of the services they provide. Further, any concerns about the safety of children participating in childcare programmes should be communicated to Oranga

Tamariki – Ministry for Children, the Ministry of Education, and the New Zealand Police.

2. *How many complaints the Ministry receives, annually if those figures are available*

As already indicated, the Ministry may receive complaints about OSCAR providers through a number of different channels. Although some complaints may be recorded in the Ministry's centralised complaint recording system, those that relate specifically to OSCAR providers cannot be quantified without a manual review (i.e. complaints concerning a range of topics are stored in the same system and cannot always be easily distinguished). Additionally, some complaints about providers may only be recorded on individual client files and/or provider records.

For these reasons, your second question is refused under section 18(f) of the Act because it would require substantial manual collation. The greater public interest is in the effective and efficient administration of the public service.

I have considered whether the Ministry would be able to respond to your request given extra time, or the ability to charge for the information requested. I have concluded that, in either case, the Ministry's ability to undertake its work would still be prejudiced.

3. *How audits of providers are done, how frequently.*

The Ministry does not 'audit' providers as such. However, regular accreditation reviews are undertaken to ensure a provider is continuing to meet the relevant Social Sector Accreditation Standards.

When a new provider is granted accreditation, they will generally be reviewed after one year, then move to a three-year review cycle. Some "higher risk" programmes, however, will remain on a two-year cycle. These include:

- Camps
- Outdoor pursuits programmes
- Providers with outstanding remedials or requirements.

However, at any time, the Social Services Accreditation team can reconsider the length of a provider's review cycle.

More information about the initial accreditation of OSCAR providers and the subsequent review process can be found at the following link: <https://www.msd.govt.nz/what-we-can-do/providers/social-services-accreditation/level-3/oscar-approval-process.html#Accreditationreview101>

4. *The process if a provider is not up to scratch*

If the Ministry had serious concerns that a provider was no longer meeting the required standards, the provider's accreditation would likely be suspended while the Ministry conducted an investigation. The final decision would then be communicated in writing and could include the provider's accreditation being revoked under Regulation 46 of the Social Security Regulations 2018.

However, a provider under investigation is able to make submissions to Social Services Accreditation team before a final decision is made. Furthermore, should

their accreditation be revoked, a provider may be able to have it renewed at a later date, once the necessary changes have been made.

5. *What reports are produced from the audits and who receives them*

At the completion of an OSCAR accreditation review, a report is prepared. The provider is then given a copy of this report.

6. *If providers have been shut down for not being up to scratch and if so, how many*

Yes, the Ministry can advise that some OSCAR programmes have been shut down upon discovery that they no longer met the required accreditation standards. However, to provide you with an exact number, Ministry staff would need to manually review all registered supplier files, of which there are thousands. As such, this part of your request is also refused under section 18(f) of the Act, as it would also require substantial manual collation. The greater public interest is in the effective and efficient administration of the public service.

In the spirit of being helpful, we can advise that as at 26 May 2021, there were 744 accredited OSCAR providers, compared to 755 providers as at 1 July 2020. Please note, however, that fluctuations in the number of OSCAR providers may be due to several factors (e.g. voluntary withdrawal of programmes, change of ownership, length of accreditation cycles etc.), in addition to discreditation. Furthermore, there is on-going accreditation of new providers. Therefore, comparing snapshots of the number of OSCAR providers at different points in time does not always give a clear indication of the number of discredited providers.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government
- to increase the ability of the public to participate in the making and administration of our laws and policies
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter available to the wider public. The Ministry will do this by publishing this letter and the attached document on the Ministry of Social Development's website. Your personal details will be deleted and the Ministry 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@msd.govt.nz.

If you are not satisfied with this response regarding before, after school care and holiday programmes, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui



Barry Fisk

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