

Oranga Tamariki

Residence Visit

(OPCAT monitoring)

Te Oranga Care and Protection Residence

Visit date: s 9(2)(a) OIA 2020

Report date: 11 December 2020

Released under the Official Information Act 1982



MANAAKITIA Ā TĀTOU TAMARIKI

Children's
Commissioner

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Introduction

Purpose of visit

The purpose of this visit was to fulfil the international monitoring mandate of the Office of the Children's Commissioner (OCC), to monitor the safety and wellbeing of children and young people detained in secure locked facilities. Between s 9(2)(a) OIA 2020, s 9(2)(a) OIA [REDACTED] carried out an announced monitoring visit to Te Oranga care and protection residence in Christchurch.

The Children's Commissioner is a National Preventive Mechanism (NPM) under the Crimes of Torture Act (1989)¹. The role of OCC is to visit youth justice and care and protection residences to examine the conditions and treatment of children and young people, identify any improvements required or problems needing to be addressed, and make recommendations aimed at strengthening protections, improving treatment and conditions, and preventing ill treatment. For more information about the legislative context for our visits, see Appendix One.

Context

Te Oranga is a care and protection residence, located in Shirley, Christchurch. It has 10 beds situated within a single unit. Since our last OPCAT visit in s 9(2)(a) OIA 2019, there has been a change in the management at Te Oranga, and a new residence manager was seconded into the role in January 2020.

Children and young people at Te Oranga

At the time of our visit, there were 10 children and young people living at Te Oranga. Their ages ranged from 10 to 15. Many of the children and young people had been in the residence for significant periods of time due to long delays in securing placements.

Our monitoring processes

We were interested in hearing about the experiences of children and young people and we also wanted to understand the group dynamics at the residence. We used several methods to engage with children, young people and staff.

We conducted one-to-one interviews with children and young people who chose to talk with us. We also spent time observing children, young people and staff in the unit, including taking part in activities, sharing dinner and having conversations with children, young people and staff. This enabled us to see and experience after-school and evening routines.

As well as interviewing individual children and young people, we interviewed residence staff and external stakeholders, and reviewed relevant documentation.

For more information about our interviews and other information gathering processes see Appendix Two.

¹ This Act contains New Zealand's practical mechanisms under the United Nations Convention Against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment (OPCAT).

<https://www.occ.org.nz/our-work/monitoring/monitoring-work/why-we-monitor/>

Our evaluation processes

In the past, the majority of our OPCAT reports have included a five or four-point scale. We used this scale to rate each OPCAT domain and to provide an overall rating for each residence.

We are currently reviewing our evaluation processes and are temporarily suspending the use of rating scales. We will be discussing our future rating system with Oranga Tamariki in February 2021 before finalising it. In the interim, we are using key descriptors – harmful, poor, good and very good – to describe our overall findings in relation to:

- the treatment of young people at the residence
- the conditions at the residence

Our reports will also provide summaries of the strengths and areas for development according to each of the OPCAT domains.

The table below lists the new descriptors used in our findings, describing their impact and our expectations for further action.

Finding	Impact for young people	OCC expectation
Harmful	Treatment and/or conditions that are damaging or hurtful for children and young people	Must be urgently addressed
Poor	Treatment and/or conditions that are not sufficient to meet the needs of children and young people	Requires improvement in the near future
Good	Treatment and/or conditions that are sufficient to meet the needs of children and young people	Must be reviewed regularly to ensure the standard is maintained and improved if possible
Very good	Treatment and/or conditions that work well to meet the needs of children and young people	Should continue subject to effectiveness. May also be beneficial in other residential contexts

Overall findings and recommendations

Overall findings

We identified one area as 'very good' practice which has a positive impact on children and young people's experiences. The area is:

- The leadership team are reviewing all situations where there is a use of force.

We also found that three key areas must be urgently addressed. These areas were identified as 'harmful' and have a significant impact on the safety and wellbeing of children and young people and impact across the seven OPCAT domains. The areas are:

- Children and young people remain at the residence for too long.
- Children and young people do not feel safe from each other.
- The unit is run down.

Recommendations

Oranga Tamariki National Office	
We recommend that the DCE Care Services:	
Rec 1:	Acknowledges the care and protection residence model of care, where vulnerable children with exceptionally high needs and challenging behaviours are placed together is not fit for purpose, and prioritises work creating smaller homes for children and young people in need of short-term stays in a secure environment. (Ref. page 8) (Ref. State of Care 2017, action 10)
Rec 2:	Continues to prioritise the development of specialised placements suitable for children with complex needs, to minimise extended placements in care and protection residences. (Ref. page 9) (Ref. State of Care 2017, action 11)
Rec 3:	Ensures full refurbishment of Te Oranga begins immediately. (Ref. page 12) (Ref. State of Care 2017, action 8)
Te Oranga	
We recommend that the residence leadership team:	
Rec 4:	Ensure staff receive training on understanding and awareness of LGBTQIA+ children and young people and how best to support them in a residential setting. (Ref. page 18)
Rec 5:	Ensure staff receive the appropriate training and support to help them respond to children and young people with mental health needs. (Ref. page 8) (Ref. State of Care 2017, action 14)
Rec 6:	Encourage and support staff to collaborate and share ideas for developing programmes that will meet the needs of all children and young people, including those with complex needs. (Ref. page 15) (Ref. State of Care 2017, action 12)
Rec 7:	Increase the number of care staff on the floor, to ensure staff and children and young people feel safe and supported and staff can focus on the individual needs of children and young people. (Ref. page 19) (Ref. State of Care 2017, action 15)

Rec 8:	Continue to support Kingsley School to run the Taiohi programme so that children and young people can participate. <i>(Ref. page 21)</i>
Rec 9:	Continue to prioritise regular supervision, including cultural supervision for all staff. <i>(Ref. page 19) (Ref. State of Care 2017, action 17)</i>

Progress on previous recommendations

Of our recommendations from our OPCAT report of 16 December 2019, two had good progress, two had limited progress and one had no progress. For further detail, see Appendix Three.

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Domain 1: Treatment

Our monitoring of the Treatment domain includes examination of the relationships between children and staff, models of therapeutic care and behaviour management, and the quality of planning and interventions tailored to individual children and young people's needs.

Findings from our last reports

In our last OPCAT report dated 16 December 2019 we said:

- Relationships with children and young people were important to staff
- Staff were thoughtful in their planning and implementation of the transition process
- A new Behaviour Management System (BMS) had been developed to better meet the needs of children and young people
- Staff needed to develop skills in de-escalation and the use of restraints. This was also raised in our reports dated 4 June 2019 and 18 September 2018.

In our COVID-19 report dated 18 June 2020 we said:

- Many children and young people were frustrated by the length of time it was taking to find a suitable placement.

Findings from this visit

Strengths

Children and young people generally experience good relationships with staff

During our monitoring we witnessed several positive interactions between staff and children and young people. All children and young people we spoke with said they valued some staff members and felt they could trust and talk to them. Positive attributes identified by children and young people were that some staff were 'more like family' and were supportive. However, some children and young people described staff as just 'alright' or ok. Some thought staff were only there for the money.

"You've got staff members who are just in here for money or just want to get the day over and done with. Like 'get to your room. Get to time out.' That type of stuff."

Staff use appropriate de-escalation techniques

Whilst completing observations, we saw staff members de-escalating children and young people who had become heightened or upset. This occurred in the unit and many of the children and young people were showing various levels of distress. Staff members spoke to the children and young people individually, at their level and provided options to calm and distract them such as going outside to do an activity or having a shower outside of routine shower time. This has been a noticeable improvement since our last monitoring visit. We heard the Team Leader Clinical

Practice has plans to run Management of Actual or Potential Aggression training that is linked to trauma-informed practice and will further strengthen practice.

The leadership team are reviewing all situations where there is a use of force

The leadership team are undertaking an analysis process every time there is a use of force on a child or young person. The residence manager records details such as the date, time, team, and a summary of the event. This helps to identify any trends or patterns leading to a restraint. The CCTV footage is reviewed and used as a training opportunity for the staff involved. These staff also watch the footage to identify where things went well or not so well in their practice. As this is a new process, no patterns have emerged from the data yet. We believe this is very good practice that could be beneficial for other residences.

Staff view secure care as a place for children and young people to 're-set'

There was a general consensus from staff we interviewed that secure care should be a place for children and young people to have some time out and space to themselves, rather than as a place of punishment. We saw an example of reflective work on the whiteboard in secure that was centered in te ao Māori, and staff talked about the importance of reflection after an incident had occurred. However staff were worried about the increased number of children and young people with significant mental illnesses and how to appropriately manage these while undertaking reflective work. Most children and young people we interviewed felt there was a need for a secure space in the residence, however they did not like the physical environment. Some suggested if secure was nicely furnished this would help them to relax and have time out.

Children and young people are learning about their cultural identity

During the mihi whakatau, almost all children and young people stood up and said their pepeha. The children and young people we spoke to also told us they were given opportunities to learn about their cultural identity, including their whakapapa. This was facilitated by staff, school staff and the Kaitiaki of Te Oranga.

Areas for development

The care and protection residence model of care is inappropriate for children and young people

We are concerned the residence is unable to fully meet the needs of the children and young people who are being placed there. The physical environment, along with staff ability to provide appropriate therapeutic care, are key in helping stabilise children and young people before they return to the community. The residence is not able to do this to a satisfactory standard. We spoke with children and young people with very complex mental health concerns and witnessed a young person §9(2)(a) OIA in the unit. We believe that placing these children and young people together in a residence environment

can have a contagion effect, and we heard about a child who had begun self-harming since being exposed to this practice in the residence. We believe Oranga Tamariki needs to fast track the creation of smaller homes able to cater to the needs of children and young people requiring short term placements.

"I think [Te Oranga] should be a more family-based residence. Not a lock up. This is care and protection, not youth justice."

Long stays in Te Oranga and uncertainty about community placements remain an ongoing issue

The children and young people we spoke to felt they had been there for too long. Some had left and come back again after placement breakdowns. We heard from staff that often community providers are unable or unwilling to care for the children and young people due to their complex needs. This results in long stays in the residence, placement breakdowns and children and young people feeling let down. This has had a harmful effect on the children and young people. We are aware a bespoke placement is being created for s9(2)(a) OIA residing in the residence. However, Oranga Tamariki needs to maintain priority attention in reducing long stays at care and protection residences.

Children and young people are still being hurt during restraints

Although the residence leadership team are reviewing and analysing use of force and the residence is making progress in reducing the number of incidents where force is used, children and young people still reported being hurt by restraints.

"It's sore... but they won't stop [restraints] if you're not calm... got a broken arm a couple of weeks ago, while in a restraint and it's kinda like it can be trauma. Triggering for some people."

Children and young people spoke of being bullied

Particular group dynamics and age ranges within Te Oranga may be contributing to children and young people feeling bullied or picked-on. We understand there have been bullying prevention programmes in place at Te Oranga and staff have been responding to bullying on the floor, however some children and young people still feel bullying is occurring. One young person would like to see more bullying prevention programmes run, while another felt they could talk to staff if they were being bullied. Due to the diverse ages and complex needs of the children and young people placed in Te Oranga it may be beneficial to run bullying prevention sessions aimed at differing age groups.

Domain 2: Protection system

Our monitoring of the Protection System domain includes examination of the safety of children and young people, and how well their rights are upheld.

Findings from our last reports

In our last OPCAT report dated 16 December 2019 we said:

- The admission process was sound
- Whaia te Māramatanga was well understood by children and young people
- Children and young people were being taught about their rights
- Children and young people were not always safe
- There was a need for clarity between the roles of VOYCE Whakarongo Mai and Grievance Advocates.

In our COVID-19 report dated 18 June 2020 we said:

- Children and young people had a good relationship with VOYCE Whakarongo Mai's Kaiwhakamana.

Findings from this visit

Strengths

Many children and young people could articulate their rights

The majority of the children and young people we spoke to knew and understood their rights under the Oranga Tamariki (Residential Care) Regulations Act 1996. Children and young people are given opportunities to learn about their rights through programmes and some young people had studied the regulations.

Children and young people understand and use Whaia te Māramatanga

Each child or young person we spoke with said they knew about Whaia te Māramatanga and felt it could make a difference. Although the last quarterly grievance report shows Te Oranga almost always completes the process within the correct timeframe, we heard from a young person it can take a long time, so they avoid it. The grievance panellists were pleased to see grievances put through by groups of children and young people, as it shows their understanding and willingness to engage in the process.

VOYCE's Kaiwhakamana visits regularly

We heard from some children and young people they are engaging with the Kaiwhakamana and she is actively advocating for them. The Kaiwhakamana visits weekly and stays to talk to the children and young people for a couple of hours. We heard there is a good relationship between

VOYCE and the residence manager.

Areas for development

We are concerned some children and young people feel unsafe in the residence at times

Some children and young people we spoke with told us they did not always feel physically safe at Te Oranga. s9(2)(b)(ii) OIA, s9(2)(ba)(i)

and they weren't sure that staff were able to keep them safe during times of heightened behaviour. Other children and young people said they felt unsafe but were unable to identify why. We understand there have been some incidences of staff getting hurt by young people recently. We also heard about room searches due to suspected contraband and missing cutlery. We believe this is could be a contributing factor to children and young people feeling unsafe, leading to an overall harmful experience.

"Sometimes it doesn't feel like they can [keep me safe] ... Like if all staff are caught up because one person gets hurt, it's less staff on the floor and it's just crazy. Like we also have a right to be safe."

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Domain 3: Material conditions

Our monitoring of the Material Conditions domain includes looking at how the living conditions in secure residences contribute to children and young people's wellbeing, including, accommodation, internal and external environments, hygiene facilities, bedding and food.

Findings from our last report

In our last OPCAT report dated 16 December 2019 we said:

- The outdoor area was well maintained
- There were many spaces for children and young people to use
- Children and young people were not always able to access soap, and there were issues with the operation of the toilets.

Findings from this visit

Strengths

Soap is available and hand hygiene is encouraged

There is soap readily available for children and young people to use, and we heard staff encouraging children and young people to wash their hands before meal times. We were pleased to see this is now embedded within the residence.

Children and young people have access to outside spaces

Te Oranga has a large well-maintained grassed area that children and young people use regularly, as well as a small playground and basketball court.

The flush mechanism in the toilets have now been fixed

We understand this was fixed before the residence manager was employed.

Areas for development

The physical condition of the unit is harmful

Te Oranga needs to be urgently refurbished. The unit is dilapidated and not conducive to a therapeutic environment for children and young people. The furnishings are old and run-down, and the walls stark and institution-like. The high ceilings and lack of furnishings also create an environment with poor acoustics, meaning the rooms are loud and echoey. All staff we spoke with mentioned the need for refurbishment. Children and young people also felt strongly about this and felt a more homely environment would help them.

We heard from the residence manager the Alert programme was due to be rolled out in Te Oranga soon, however we have concerns about the likely success of this if the physical environment it is brought into remains the same. We understand the National Office property

team has taken the first steps in preparing to refurbish the unit, however this must be prioritised.

"I feel like they need to make this place like home because we're in here to be protected. Not because of, I dunno, because of being in prison or for criminal activities."

Children and young people do not always like the kai

We heard mixed feedback on the kai from both staff and children and young people. When we had dinner with them, children and young people also told us they did not like the kai. One young person described the food as not being cooked with love.

We understand there are opportunities for children and young people to have a say in what they would like to eat. We also heard from staff, children and young people they would like the cook who was seconded to Te Oranga from Te Puna Wai ō Tuhinapo Youth Justice residence to remain at Te Oranga. Children and young people liked the food cooked by this particular staff member. Staff told us he would create sensory experiences with food for the children and young people, as well as running cooking programmes.

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Domain 4: Activities and contact with others

Our monitoring of the Activities and Contact with Others domain assesses the opportunities available to children and young people to engage in quality, youth friendly activities inside and outside secure residences.

Findings from our last report

In our last OPCAT report dated 16 December 2019 we said:

- Children and young people had access to therapeutic, cultural and fun activities
- Phone contact with whānau was regular
- Whānau were supported by the residence to visit

In our COVID-19 report dated 18 June 2020 we said:

- Children and young people were frustrated due to not being able to go off-site
- The residence has the capability for children and young people to have video calls with their whānau, however most had not used video calls
- Children and young people had daily phone calls

Findings from this visit

Strengths

Contact with whānau occurs regularly

Children and young people have regular contact with their whānau through phone calls or visits. Children and young people are also able to attend off-site visits with their whānau if it is in their plan. Whānau are able to stay at the flats on-site. The wharenui has the facilities to allow for visitors to stay, however it is not used for this purpose. One staff member suggested the wharenui could be used to create a safe space for children, young people and their whānau to heal.

Children and young people enjoy a wide range of activities

Kingslea School run an adventure-based learning programme each week. While we were visiting Te Oranga, children and young people went horse riding and sea kayaking, and it is clear they enjoy the programming run through school. We also heard children and young people engage in kapa haka once a week. Residence staff would like more funding to allow for further cultural activities. Children and young people are able to attend individual programmes and we saw one young person leave to attend air cadets in the evening. Some young people told us they would like more time and space to relax, however the physical environment of the unit does not allow for this.

Children and young people enjoy school

All children and young people spoken to said they enjoyed school, with one young person

saying school at Te Oranga was better for them than any previous schools they had attended. The school environment is warm and inviting and there is space for children and young people to work individually or in groups. We heard that school staff and care staff work well together which creates a safe, stable environment for the children and young people to be in.

Areas for development

Children and young people's phone calls are limited to 10 minutes

We heard from children and young people that phone calls were limited to 10 minutes. Some said this was hard as they needed longer to properly connect with significant people in their lives.

Children and young people would benefit from programming tailored to their needs

Children and young people need specific programming tailored to their needs including learning about, managing and responding to anxiety, anger and other emotions. They would also benefit from programming about identity, including gender identity and healthy relationships. Staff told us they are teaching children and young people life skills to help prepare them to move into the community. The residence needs to ensure staff are able to collaborate and share programming ideas. It would also be beneficial to track children and young people's participation in programmes to allow for progress to be monitored.

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Domain 5: Medical Services and care

Our monitoring of the Medical Services and Care domain evaluates how well children and young people's health needs are assessed and met.

Findings from our last reports

In our last OPCAT report dated 16 December 2019 we said:

- A nurse and doctor were regularly on-site, and referrals made to specialist services as required
- The Children in Care team visited the children and young people on site to complete assessments

In our COVID-19 report dated 18 June 2020 we said:

- The nurse was available on-site, and provided phone consults as well as face-to-face consults
- The health team had the ability to complete COVID-19 testing
- The residence were still waiting to receive some PPE

Findings from this visit

Strengths

Children and young people receive quality healthcare

Children and young people at Te Oranga know how to access health services and were generally happy with the level of care they were receiving. The nurse is on site twice per week and has good relationships with the children and young people. Occasionally a nurse brings her dog to Te Oranga, which many children and young people enjoy. They are given the opportunity to walk and pat the dog, which we heard can help calm and regulate their emotions.

The nurse told us care staff were trained and skilled at dispensing medication and some staff have received extra training for this so they can support other care staff on the floor. We were told the residence and health staff have a strong relationship.

Specialist mental health support is easily accessed

At the time of our visit, all the children and young people at Te Oranga had high and complex mental health needs. We were told **s 9(2)(a) OIA** children and young people staying there received care and support from external specialist mental health teams. Children and young people are able to attend appointments easily, and the nurse has good relationships with external providers.

The residence is well prepared for COVID-19

We saw stocks of PPE, and the residence and health team are prepared for another possible lockdown. The health team is in regular contact with the local DHB, ensuring they receive the most up to date information for their region.

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Domain 6: Personnel

Our monitoring of the Personnel domain assesses the quality, suitability and capacity of Oranga Tamariki staff to provide safe, secure, respectful care for children and young people, including processes for staff recruitment, selection, training, supervision and ongoing professional development.

Findings from our last reports

In our last OPCAT report dated 16 December 2019 we said:

- Staff were trained, supervised and had the required skills to meet individual needs
- Operational plans were not being implemented in a way that was meaningful for children and young people.

In our COVID-19 report dated 18 June 2020 we said:

- There were extra casual staff available during lockdown, meaning there was one extra staff member on the floor per shift.

Findings from this visit

Strengths

Operational plans are being implemented by care staff on the floor

We were pleased to hear that operational plans were being used by care staff in their daily interactions with children and young people. We heard staff work hard to make sure these are consistently implemented. Care staff routinely inform operational plans, by advising the clinical team whether the plan works in practice.

Areas for development

Some staff use put-downs and inappropriate comments

We were concerned to hear that some staff members speak to children and young people inappropriately. We also heard staff speak to other staff about children and young people in a degrading way. Several staff described harmful comments and attitudes towards a young person

s 9(2)(a) OIA It is important that staff are provided with training to raise awareness and increase understanding of LGBTQIA+ children and young people so they can be supported in a residential setting.

Many staff are seconded into roles

We heard that some staff members within the leadership team are temporarily seconded into their roles. It would create certainty and stability for staff to know their manager is permanent.

Children, young people and some staff perceive staff levels to be low

Some children and young people told us they feel that staff numbers on the floor are low, which means they are unable to do on-on-one activities or go on as many off-site visits. We also heard from a young person that recently, staff have been focused on managing difficult behaviour. This meant other children and young people do not receive enough attention.

We also heard from some staff that staffing levels are difficult to maintain, staff are required to cover lots of shifts, and the residence relies heavily on the use of the casual staff pool. We were told staff on the floor are tired and 'a bit burned out' by recent challenging events, such as staff members getting hurt by young people. It may be beneficial for staff to have a process for communicating to residence leadership about staff numbers on the floor.

"Especially being room based all the time and feeling like we haven't got enough staff... we don't get attention."

Supervision of care staff is inconsistent

We understand that supervision for care staff does not always occur in a way that is useful or meaningful. Instead supervision is often focused on employment matters instead of being a reflective process to improve practice with children and young people. We understand however, that team leaders also provide coaching, mentoring and debriefing for staff on the floor.

We also heard that casual staff do not always receive supervision. It is essential that casual staff receive this level of support, as they are currently utilised on the floor regularly, with some working full-time hours. According to the Residence Manager, office days for care staff have not been utilised well in the past, with staff not seeing the importance of them, however she is aiming to change this.

Residences are often able to meet the 3-weekly milestone for supervision; however it is not always of a good quality and does not always allow the space for staff to safely unpack individual issues or concerns. We are also aware staff do not receive cultural supervision at Te Oranga.

Domain 7: Improving Outcomes for Mokopuna Māori

Our monitoring of the Improving Outcomes for Mokopuna Maori domain assesses the residence's plans and progress for improving outcomes for mokopuna Māori, including the extent to which Māori values are embraced and upheld, and the relationships mokopuna are supported to have with their whānau, hapū and iwi.

Findings from our last reports

In our last OPCAT report dated 16 December 2019 we said:

- The Taiohi pilot programme was being run with positive results
- Children and young people were able to participate in learning te reo Māori
- Children and young people were given opportunities to connect to their whakapapa
- There was a lack of any intentional, strategic vision to support improving outcomes for mokopuna Māori.

In our COVID-19 report dated 18 June 2020 we said:

- Te Oranga was looking at how to implement programmes such as kapa haka during the lockdown.

Findings from this visit

Strengths

Te Oranga has re-engaged the services of a Kaitiaki

The Kaitiaki has become more involved with Te Oranga recently, however this is not a formalised role. She is available to provide advice and guidance to residence staff, as well as connecting with children and young people. We heard that Oranga Tamariki are looking to employ a permanent cultural advisor at Te Oranga. However this means the current Kaitiaki will be required to go through a formal appointment process despite already being put forward as Kaitiaki by mana whenua, which the manager believes may be an unnecessary extra administrative step.

Tikanga has been embedded within Te Oranga

Since our last OPCAT visit in 2019, there has been a noticeable embedding of te ao Māori and tikanga within the residence. We were brought onto the wharenuī by a haka powhiri performed by the tamaiti tāne residing at Te Oranga, and the kaikōreo was a rangatahi. During our visit we witnessed waiata and karakia, and te reo is taught through the school. Despite this progress, one rangatahi advised us they would like have more opportunities to learn and speak te reo. Every child and young person we spoke with told us they were provided with opportunities to learn about te ao Māori. Whilst we were at the residence, one rangatahi was supported by staff to connect with their whānau in order to discover where their marae and maunga was. We heard

from Māori staff that they are 'planting the seed' with the rangatahi all the time in order to help them realise the importance of understanding, knowing and being proud of their culture.

The Taiohi programme is continuing through school

There was disappointment from staff about the recent ending of the Taiohi programme. However, we understand the programme is now being run by Kingsley School, with operational support from residence staff. We were told the programme needed to change because the pilot version did not reach enough children and young people. It is essential the residence continues to support this programme as many staff felt it went a long way in connecting children and young people with their Māori culture.

"I'm proud of my culture and who I am."

Areas for development

Some staff believe Te Oranga still has more work to do

We were told by some staff, that although the residence has come a long way in the past year, there was still a lot of room for improvement within the staffing group, especially around pronunciation of te reo. The Residence Manager would like staff to be learning karakia and their pepeha on their office days but has not happened to date. We are also aware Te Oranga currently has no strategic vision for tamariki Māori, however this is being developed with input from the Kaitiaki and will be finalised once the cultural advisor role is created.

Appendix One: Why we visit – legislative background

The Office of the Children’s Commissioner is designated as a National Preventive Mechanism (NPM) under the Crimes of Torture Act (1989). This Act contains New Zealand’s practical mechanisms for ensuring compliance with the United Nations Convention Against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment (OPCAT). The convention was ratified by New Zealand in 2007. Our role is to visit secure youth justice and care and protection residences to examine the conditions of the residences and treatment of children and young people, identify any improvements required or problems needing to be addressed and make recommendations aimed at improving treatment and conditions and preventing ill treatment.

In addition, the Children’s Commissioner has a statutory responsibility to monitor and assess the services provided under the Oranga Tamariki Act 1989. Specifically, section 13(1) (c) of the Children’s Commissioner Act 2003, states that the Commissioner must monitor and assess the policies and practices of Oranga Tamariki and encourage the development of policies and services that are designed to promote the welfare of children and young people.

Released under the Official Information Act 1982

Appendix Two: Interviews and information gathering

Method	
Individual interviews	<ul style="list-style-type: none"> • █ children and young people
Individual and group interviews	<ul style="list-style-type: none"> • Residence Manager • National Operations Manager- care and protection residences • Team Leader Operations • Case Leaders • Team Leader Clinical Practice • Care staff • Programme Coordinator • Grievance Coordinator
External stakeholder interviews	<ul style="list-style-type: none"> • VOYCE Whakarongo Mai staff • Kingslea School assistant principal • s9(2)(b)(ii) OIA █ nurse • Grievance Panellists • Te Oranga Kaitiaki
Documentation	<ul style="list-style-type: none"> • 2019 Oranga Tamariki audit report • Grievance quarterly reports • Grievance files • Secure care register • Secure care log book • Young people's files – including Individual Care Plans and All About Me plans • SOSHI reports 1/05/2020-31/07/2020
Observations	<ul style="list-style-type: none"> • Afternoon and evening observation of unit routines from school until shower time • Observation during school time • Observation of shift handover

Appendix Three: Previous Recommendations

Previous recommendations from OPCAT report dated 16 December 2019:

For the National Office, Oranga Tamariki	
Rec 1:	<p>The DCE Care Services maintains priority attention on the development of specialised placements suitable for children with complex needs, so that vulnerable children with exceptionally high needs and challenging behaviours are not placed together in the same living arrangement and so extensions to care and protection residence placements can be minimised.</p> <p><i>There has been limited progress against this recommendation (ref. page 9)</i></p>
Rec 2:	<p>The DCE Care Services and DCE Tamariki Advocate Voices of Children establishes a process to ensure the roles of grievance advocates are clear, distinct from the roles of the VOYCE Whakarongo Mai advocates, and meeting the requirements of the Residential Guidelines for children and young people's access to grievance advocates.</p> <p><i>We did not monitor against this recommendation on this visit.</i></p>
For the Residence	
Rec 3:	<p>Regarding the MAPA process at Te Oranga:</p> <ul style="list-style-type: none"> a) The Residence Manager and Senior Leadership Team continue to support care staff to increase their skill in de-escalation techniques, helping children and young people learn to calm themselves. b) The Residence Manager and Senior Leadership Team prioritise minimising the likelihood of hurting children and young people in restraints. This is an urgent recommendation from the Office of the Children's Commissioner. <p><i>There has been good progress on part a) of this recommendation. There has been some progress on part b) of this recommendation (ref. page 8)</i></p>
Rec 4:	<p>The Residence Manager and Senior Leadership Team continue to support care staff to increase their skill in de-escalation techniques, helping children and young people learn to calm themselves.</p> <p><i>As above.</i></p>
Rec 5:	<p>The Residence Manager and Senior Leadership Team ensure that children and young people's paper files are up to date with all relevant completed paperwork to enable accurate record keeping knowing that children and young people can also access these.</p> <p><i>We did not monitor against this recommendation on this visit.</i></p>
Rec 6:	<p>The Residence Manager and Senior Leadership Team, along with the Clinical Team continue to support care staff to ensure consistent implementation of children and young peoples' operational plans, to maximise regulatory opportunities and teachable moments for children and young people.</p> <p><i>There has been good progress against this recommendation (ref. page 19)</i></p>
For the National Office, Oranga Tamariki and the Residence	
Rec 7:	<p>A strategic plan is created and implemented for Te Oranga containing a set of tangible, achievable and time-framed goals that meet the practice standard, Whakamana te Tamaiti and Section 7AA of the</p>

Oranga Tamariki Act, 1989. This should be done in consultation with staff, (including the staff of the Taiohi programme, children and young people and local iwi) to ensure relevance and sustainability.

There has been no progress against this recommendation (ref. page 22)

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