

Hon Kelvin Davis

MP for Te Tai Tokerau

Minister for Māori Crown Relations: Te Arawhiti

Minister for Children

Minister of Corrections

Associate Minister of Education (Māori Education)



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Chappie Te Kani

Acting Chief Executive of Oranga Tamariki

Wellington

Matt Tukaki

Chair, Ministerial Advisory Board, Oranga Tamariki

Wellington

20 October 2021

Tēna korua,

As you are both aware, the Ministerial Advisory Board (the Board) has recently released Te Kahu Aroha (the Report). The Report outlines a series of systemic issues and concerns related to Oranga Tamariki and its service provision. The Report sets out the need for change both in the leadership and direction of Oranga Tamariki and the quality of its service delivery. I have accepted all the recommendations of the Report.

The Report made three overarching recommendations:

- Collective Māori and community authority and responsibility must be strengthened and resourced to lead prevention of harm to tamariki and their whānau.
- The purpose of Oranga Tamariki must be clarified. This includes who Oranga Tamariki primarily exists to serve.
- A process to establish a national Oranga Tamariki Governance Board should be designed over the coming year, with the Oranga Tamariki Governance Board to be in place by the end of 2022.

I have indicated to Oranga Tamariki, and to the Board, that their role has not finished. I expect the Board to continue in their role and to provide assurance on the performance of Oranga Tamariki in fulfilling the recommendations of the Report, and progressing the actions that Cabinet has agreed.

Engagement between the Board and Oranga Tamariki

To ensure that both Oranga Tamariki and the Board are able to deliver on my expectations and the recommendations set out in the Report, a Memorandum of Understanding (MOU) should be developed. The MOU should be provided to me for final sign off once Oranga Tamariki and the Board agree on its content.

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This MOU will include:

- Formalising the relationship between the Chief Executive of Oranga Tamariki and the Board Chair and agreed protocols for engagement with other Oranga Tamariki staff, including Deputy Chief Executives.
- An outline of an agreed work programmes where the Board have an overview role for work that is deemed important to implementing the recommendations of the Report.
- Protocols on the sharing of information and advice – my expectation is if the Board is able to access information required for an oversight role.
- Expectations on regular meetings between the Board Chair and Chief Executive of Oranga Tamariki, Board Members, Secretariat and Oranga Tamariki Officials as agreed with the Chief Executive.
- I expect that the MOU will also cover the principle of no surprises.

Oranga Tamariki and the Board must work together effectively to ensure my expectations and the expectations of my Cabinet colleagues are met. However should the Board be unable to access information it requires to complete their role, this issue is to be escalated to the Chief Executive and Chair. However, should that process be unsuccessful, I expect the matter to be escalated to my office.

I also expect to develop a series of media protocols with the Board.

Reporting on the Action Plan and fulfilment of the recommendations in the Report

I expect to receive regular updates from both Oranga Tamariki and the Board on the completion of the actions and recommendations of the Report. I expect formal reporting to be undertaken as follows:

- An update from Oranga Tamariki in each weekly report.
- Quarterly reports from Oranga Tamariki.
- Monthly reports from the Board, with full reports on progress quarterly
- Report to Cabinet as and when required.

In addition to this, I expect to receive verbal updates from both the Board and Oranga Tamariki when required.

The Action plan for the implementation of the recommendations in the Report

Oranga Tamariki has provided me with an Action Plan on how the Report will be implemented across the agency. I have agreed the Action Plan and it has been provided to Cabinet.

Now the report has been finalised and released, I want the Board to provide me with independent oversight of the implementation of that plan.

The Appointment of new Members to the Board

As I have discussed with you, and the Board, I plan to appoint two new members to the Board as follows:

- A youth member with lived care experience.
- A member from the disability community, ideally with lived care experience.

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I also wish consideration given to appointing a member from the Pasifika community should vacancies arise on the Board.

Oranga Tamariki will be responsible for providing me with a Cabinet Appointments and Honours Committee paper to undertake these appointments within the coming month.

Pay and support for Members of the Board will be in line with the Cabinet Fees Framework.

Independence of the Advisory Board

The Board will continue to provide me with independent, free and frank advice on any concerns they may hold regarding the performance of Oranga Tamariki

Given the oversight function the Board will play, it is possible that they will find areas of Oranga Tamariki that may require further investigation or scrutiny. As such, I reserve the right to be able to ask the Board to undertake work on my behalf as required.

This advice will be presented in a no surprises way so that the Chief Executive is aware of the concerns.

Final considerations

The work that needs to be undertaken by Oranga Tamariki is substantial. My expectation is that Oranga Tamariki will work closely alongside the Board to ensure the changes that the Report has identified are implemented and operationalised. I look forward to working with you as we move through this change.

Nāku, nā



Hon Kelvin Davis

Minister for Children