



**Response from Oranga Tamariki and Emerge
Aotearoa to recommendations from the Mana
Mokopuna monitoring visit to:**

Toe Afua Le Taeao

Visit date – September 2023

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Introduction

The Toe Afua Le Taeao (the fale) is a Youth Justice Community Remand home. The fale is owned by Oranga Tamariki, and managed and operated by Emerge Aotearoa, a national non-government organisation approved to deliver care services under section 396 of the Oranga Tamariki Act 1989. The fale is located in Tāmaki Makaurau.

In September 2023, staff from Mana Mokopuna—Children and Young People’s Commission (Mana Mokopuna) completed an announced monitoring visit to the fale.

The fale has capacity to take five rangatahi. Under the Oranga Tamariki Act 1989, the legal status which rangatahi are detained on remand at the home include:

- section 235 - Child or young person who is arrested may be placed in custody of chief executive;
- section 238(1)(d) - Custody of child or young person pending hearing.

The purpose of the visit was to assess the quality of Oranga Tamariki services against the seven domains relevant to the Commission’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 was shared with Oranga Tamariki and Emerge Aotearoa on 28 November 2023. Oranga Tamariki and Emerge Aotearoa have collaborated to prepare this joint response to the Systemic and Facility Recommendations.

Recommendations Summary

The OPCAT report for Toe Afua Le Taeao (the fale) makes eleven recommendations which are all accepted.

We value the feedback we receive from Mana Mokopuna and use recommendations to make improvements. For this report, Mana Mokopuna acknowledged several areas of excellent practice and made a range of positive observations about the high quality of care mokopuna were receiving at the fale.

Emerge Aotearoa and Oranga Tamariki are committed to strengthening practice as a priority and we continue to work towards ensuring consistent, quality practice, that is inclusive, collaborative, culturally responsive and meets the needs of tamariki and rangatahi. We are committed to achieving better outcomes for tamariki and rangatahi and we value the feedback and insights provided by Mana Mokopuna.

Recommendations	Status
Oranga Tamariki Systemic Recommendations	
1. To support community run remand homes to develop an independent complaints system.	Accepted
2. Develop a nationwide package of training programmes designed specifically for community run remand homes. Training programmes could include: <ul style="list-style-type: none"> ○ Trauma informed practice ○ Identifying and working to reduce criminogenic risk factors ○ Alcohol and drug support ○ Working effectively with mokopuna who have identified: <ul style="list-style-type: none"> ▪ Mental health needs ▪ Intellectual disability ▪ Neurodiversity ▪ Trauma/Post Traumatic Stress Disorder 	Accepted
3. Ensure Oranga Tamariki social workers are adhering to minimum contact visits as per Oranga Tamariki policy.	Accepted
4. Ensure mokopuna access to timely medical care that does not rely on their assigned Oranga Tamariki social worker being available to escort to medical appointments.	Accepted
5. Ensure that when a Report of Concern is received by Oranga Tamariki that involves staff working in a remand home, that the home is notified immediately.	Accepted
6. Establish a transition process for mokopuna leaving community remand homes that incorporates access to mentors and adequate wrap-around support.	Accepted

Emerge Aotearoa Facility Recommendations

1.	Work with mokopuna to establish regular activities and outings to provide variety in their structured day.	Accepted
2.	Review the current whānau contact arrangement and make changes that allow mokopuna more privacy during their contact time.	Accepted
3.	Ensure kaimahi have the ability to attend professional development opportunities.	Accepted
4.	Develop and implement a supervision policy to support kaimahi both professionally and culturally.	Accepted
5.	Ensure communication and information from Emerge Aotearoa is appropriately disseminated through all levels of operations for the fale.	Accepted

The Oranga Tamariki and Emerge Aotearoa responses to the Toe Afua Le Taeao OPCAT report recommendations are detailed in the remaining sections of this report.

Response to Oranga Tamariki Systemic Recommendations

Below are the Oranga Tamariki and Emerge Aotearoa responses to the systemic recommendations made in the Toe Afua Le Taeao OPCAT report.

Recommendation 1

To support community run remand homes to develop an independent complaints system.

Response – Oranga Tamariki

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 that of our partners, 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. This applies to the fale and to all our provider-run youth justice community remand homes.

Complaints and the importance of having an independent complaints process was discussed at the kanohi ki te kanohi bi-annual hui in May 2023 with the team leaders of Oranga Tamariki-run and contracted provider-run youth justice community remand homes. Oranga Tamariki supports all our homes to have their own complaints system in place in relation to the actions of their own staff and their service, recognising there is a process in place for Oranga Tamariki actions that is our responsibility.

Oranga Tamariki has partnered with VOYCE—Whakarongo Mai (VOYCE) to collaboratively design and deliver Manaaki Kōrero – with tamariki, rangatahi and whānau – improved feedback, complaints, grievance, information, advice and assistance processes. Manaaki Kōrero is a three-year programme of work with VOYCE across all Oranga Tamariki settings, with a planned completion date of June 2026.

Rangatahi can have phone contact with VOYCE—Whakarongo Mai (VOYCE) and the option to meet their representatives when they visit the fale. They can also request a visit from a VOYCE representative when they need advocacy for a specific concern. Other options for expressing themselves, such as video calling and recording, can be used with tamariki and rangatahi as required.

The new oversight legislation provides a strengthened complaints and investigation function for children in the care or custody of the state led by the Office of the Ombudsman. Rangatahi can now approach the Ombudsman directly at any point, before, during or following a complaint being considered by Oranga Tamariki. The Office of the Ombudsman is working on developing a range of resources to promote the use of this service. Posters and stickers advertising the rights to access the independent complaint service have been shared with our Residences and Remand homes. We are also working with the Office of the Ombudsman to promote awareness of their 0800 number and ensuring that rangatahi can use it at any time.

We are pleased your monitoring team found that rangatahi at the fale have information readily available about their rights. We continue to improve the accessibility to, and implementation of, advocacy within the community remand homes.

Response – Emerge Aotearoa

Rangatahi and whānau receiving any Emerge Aotearoa Limited (EAL) services have the right to raise a concern or make a complaint regarding their care or treatment. Concerns and complaints may be received directly from rangatahi themselves, or from a third party on behalf of rangatahi and can be made verbally or in writing.

Toe Afua Le Taeao encourages complaints and feedback from all rangatahi. Policies and procedures have been implemented to ensure that rangatahi receive support and guidance to understand the complaint process, and to make a complaint or provide feedback. All concerns and complaints are taken seriously and managed and responded to promptly in accordance with the complaints process. All kaimahi are required to know, understand, and implement the complaints process.

At Toe Afua Le Taeao all rangatahi receive an entry resource pack that includes the statement of rights, how to make a complaint and give feedback, and the phone numbers for internal and external people

that they can contact to raise concerns. This ensures that rangatahi are aware of their right to make a complaint if they feel their rights are not being upheld, or if they think someone has hurt them or made them feel uncomfortable.

EAL are currently reviewing the Client Complaints policy and procedure process for all those that use our services and will incorporate this recommendation into that review. Following this recommendation, Toe Afua Le Taeao is looking into working more collaboratively with VOYCE to implement regular visits from their representatives to the fale, giving rangatahi opportunities to raise concerns with an independent third party.

Recommendation 2

Develop a nationwide package of training programmes designed specifically for community run remand homes.

Response – Oranga Tamariki

At the time of Mana Mokopuna visiting in September 2023, they reported that a thorough induction process and on-going professional development is essential. Oranga Tamariki is supportive of the training and development for kaimahi that Emerge Aotearoa undertakes. We are confident that the focus Emerge Aotearoa have on continuous improvement and excellence means rangatahi who have identified mental health needs, intellectual disability, neurodiversity, and/or trauma histories will experience a high standard of service provision.

Oranga Tamariki is currently undertaking a fundamental and significant shift in our approach, operating model, and practice so we can truly be tamariki and whānau centred, and community homes are an important focus of this work. On 21 September 2023 Oranga Tamariki published the “*Oranga Tamariki Secure Residences & a Sample of Community Homes - Independent, External Rapid Review*”. The External Rapid Review provides a thorough assessment of our residences and community homes. The report suggested significant high-level changes and improvements to make these places safer for young people and our staff. Immediate actions were taken. Mike Bush is staying on in a governance capacity and he will Chair the Transformation Governance Group to support the Leadership team through this next critical phase of change into 2024.

Oranga Tamariki acknowledges that it is important that kaimahi have access to, and are trained in, a nationwide suite of trauma-informed programmes that address criminogenic behaviour, alcohol and drug use, mental health needs, intellectual disability, neurodiversity, life skills and cultural development for rangatahi. In November 2023, as part of ongoing support and development for youth justice Community Homes, Oranga Tamariki provided training for Toe Afua Le Taeao kamahi. The training was well received, and topics included:

- understanding various relevant dangerous dynamics that can occur in a home
- highlighting the responsibility to maintain a safe environment
- the conditions of remand including maintaining detention through line of sight
- how to have courageous conversations
- effective ways to interact with and support rangatahi
- trauma informed care
- delivering activities and teachable moments as proactive strategies to support rangatahi.

Response – Emerge Aotearoa

EAL provides an induction and comprehensive core training programme for all frontline kaimahi. Since the Mana Mokopuna visit, EAL has partnered with Oranga Tamariki to review the training support and options available for kaimahi at Toe Afua Le Taeao. EAL met with the Programme Manager Youth Justice Transformation to identify the training needs and what resource Oranga Tamariki could provide to meet these. Training was delivered by Oranga Tamariki for the fale kaimahi in November 2023 and covered content specific to community remand home settings. This is anticipated to be an ongoing partnership with the next training planned for delivery in early 2024 to complement the core training EAL already has in place.

Recommendation 3

Ensure Oranga Tamariki social workers are adhering to minimum contact visits as per Oranga Tamariki policy.

Response – Oranga Tamariki

Visiting rangatahi while in care is important. Visits by social workers with rangatahi help to build and maintain relationships, help to understand what is happening in their lives, monitor their safety and wellbeing and ensure that their All About Me Plan (AAMP) and placement are meeting their needs and promoting their best interests.

The policy and guidance states that the frequency of visits to rangatahi is based on an assessment of their individual need. The frequency is determined in consultation with rangatahi, their carer and wherever possible their whānau. The frequency and rationale need to be approved by the social worker's supervisor with the approval recorded in case notes and the frequency recorded in the AAMP for the rangatahi. The frequency of visits must be reviewed regularly, including when there has been a change in the circumstance or needs for the rangatahi. The AAMP must be updated if the frequency is altered to ensure it reflects the needs and wishes of rangatahi.

Rangatahi must be visited by their allocated social worker wherever possible and the social worker's supervisor will arrange for other kaimahi to visit if the social worker is not able to. A video call can be used to complete the visit if it is not possible to meet in person.

As part of the referral process for rangatahi who are entering the fale, the Auckland Regional Placement Team reminds social workers of the requirement to provide a current AAMP. It is important that rangatahi and staff at the fale are consulted by the social worker when determining contact arrangements.

Response – Emerge Aotearoa

Toe Afua Le Taeao remains committed to working in a transparent and collaborative way with all social workers that have rangatahi placed in the fale. The fale Service Manager and kaimahi liaise with the Auckland Regional Placement Team on a daily basis and we work closely together to navigate any issues or challenges about the frequency of social worker visits.

Recommendation 4

Ensure mokopuna access to timely medical care that does not rely on their assigned Oranga Tamariki social worker being available to escort to medical appointments.

Response – Oranga Tamariki

Oranga Tamariki recognises the need for timely access to quality health care for rangatahi who are remanded in custody. Oranga Tamariki recently engaged with Te Whatu Ora to explore options for increasing access to primary healthcare services at homes providing community remand placements in Tāmaki Makaurau Auckland.

Te Whatu Ora is working with a health provider to put a new service in place for rangatahi at the fale. The proposal is to involve virtual and face to face options for medical appointments, including with doctors and other allied health professionals. This will assist with supporting the rangatahi at the fale with any presenting health needs and the management of these, for example, prescribing and renewing prescriptions for medication, and consideration of broader health needs such as updating and undertaking new immunisations.

An operating proposal for how access to this virtual and face to face health service at the fale is currently being developed by the health provider, with a goal to commence service delivery with this (or another) health provider as soon as possible.

Response – Emerge Aotearoa

EAL recognises the importance of physical health and the challenges of accessing medical care for rangatahi in the fale. We have since had initial conversations with Oranga Tamariki around the possibility of piloting a digital health service which would provide timely access to medical physicians without the need for transport outside the fale. Toe Afua Le Taeao is committed to working alongside Oranga Tamariki to implement a solution to this issue.

Recommendation 5

Ensure that when a Report of Concern is received by Oranga Tamariki that involves staff working in a remand home, that the home is notified immediately .

Response – Oranga Tamariki

Oranga Tamariki recognises the importance of ensuring that our care partners are notified as soon as possible when a Report of Concern is received that involves kaimahi working in a remand home. In this instance, Oranga Tamariki did provide information to Emerge immediately, however there was initially insufficient information available for either organisation to be able to identify the kaimahi involved.

The incident has led to an opportunity to improve our practice. The Oranga Tamariki Practice Leader at the Waitakere site is now the key contact for communicating and updating Emerge about Reports of Concern and the action that is being taken in response.

Response – Emerge Aotearoa

EAL takes the safety and care of rangatahi very seriously and works closely with Oranga Tamariki around any Reports of Concern or complaints that are brought to our attention. Reports of Concern are escalated to Group Executive Level within the organisation and are investigated with the input of People Partners, Lived Experience Partners and Senior Managers.

Following this recommendation and the learnings that came from the recent Report of Concern, EAL and Oranga Tamariki have identified a key contact person at the Waitakere Oranga Tamariki site office that will be the liaison for any future Reports of Concern. This will enable a timely, seamless and efficient process to be implemented that ensures the safety of rangatahi.

Recommendation 6

Establish a transition process for mokopuna leaving community remand homes that incorporates access to mentors and adequate wrap-around support.

Response – Oranga Tamariki

Being able to understand and prepare for transitions gives young people some certainty and control over their future and helps contribute to a successful outcome for them. Every rangatahi completing a stay in a remand home needs plans to be in place to ensure positive and supportive reintegration into their community. Social workers prepare and present plans to the Youth Court. The plans include recommendations regarding supports to enable rangatahi to reintegrate back into the community in a way that keeps them connected with whānau, and other natural supports when the youth justice placement ends. The decisions of the Court impact what supports rangatahi can access, including mentors through supported bail, mentoring orders, conditions of a Court order, and other wrap around support options.

Oranga Tamariki practice guidance for transition from residential care back to the community ([Transitions for children and young people who offend: Actively planning for success | Practice Centre | Oranga Tamariki](#)) includes:

- the whānau of rangatahi are involved in developing the plan
- providing whānau with support and strategies to sustain a change in behaviour

- contact with the whānau or family to identify, address and resolve issues at home before the young person returns

Response – Emerge Aotearoa

Toe Afua Le Taeao kaimahi recognises the need for rangatahi to have a well-supported transition process for leaving the fale, that is clearly communicated to them. Support beyond the fale is important for rangatahi to prevent them from re-offending and needing another youth remand placement.

Response to Emerge Aotearoa Facility Recommendations

Below are the Emerge Aotearoa and Oranga Tamariki responses to the facility recommendations made in the Toe Afua Le Taeao OPCAT report.

Recommendation 1

Work with mokopuna to establish regular activities and outings to provide variety in their structured day.

Response – Emerge Aotearoa

EAL uses a client-centred approach whereby people set their own person-centred goals and kaimahi support is driven by these. People using services can choose programmes, activities and community integration that aligns with their person-centred goals. Toe Afua Le Taeao has an in-house schedule that includes regular activities, structure and routine that is designed to meet the needs of rangatahi.

Following the Mana Mokopuna visit, the fale has worked with rangatahi to get their feedback, ideas and suggestions for community outings and activities that relate to their areas of interest and passion. Community outings are happening consistently once or twice a week and centre around creating meaningful impact for rangatahi.

Following this recommendation, Toe Afua Le Taeao will look at how it can work with rangatahi more intentionally to design activities and outings that meet their needs and to link in with other activities that are occurring within the EAL wider services.

Response – Oranga Tamariki

We are working with the fale to provide any support required around risk management and planning to support a range of purposeful regular on and off-site activities, and also access to unique one-off activities. Participating in a range of activities while placed in a remand home is important to keep rangatahi connected to the community, broaden their interests and experiences, introduce them to new vocational pathways and options, and show them new and fun ways of being active.

We continue to work with the Ministry of Education (MoE) to support continuous improvement of the education services that they fund for remand homes. In July 2022, MoE received a report from an external evaluator providing recommendations on how to improve education in community remand homes. We continue to work with and support MoE to address these recommendations.

Recommendation 2

Review the current whānau contact arrangement and make changes that allow mokopuna more privacy during their contact time.

Response – Emerge Aotearoa

EAL works in a whānau centric way and promotes whānau involvement wherever possible. At the time of Mana Mokopuna visiting, private phone conversations for rangatahi to their whānau were not in place. However, since the visit there has been a review and change to the way phone calls are supported. Toe Afua Le Taeao provides the opportunity for rangatahi to call their whānau twice a day and they are given headphones to use during the call so that privacy can be respected. Kaimahi stand outside the room to balance the need of risk mitigation and privacy; both of which are important.

Following this recommendation, the fale is exploring other options to improve whānau contact through technological solutions and will work alongside Oranga Tamariki to ensure these can be implemented safely.

Response – Oranga Tamariki

Oranga Tamariki acknowledges the importance of regular quality contact for rangatahi with their whānau. We are exploring a range of technology options to support rangatahi to have regular, safe contact with

whānau. One option that is being considered is access to virtual contact through MS Teams. We will continue our work with Emerge and our other care partners on possible technology solutions,

Recommendation 3

Ensure kaimahi have the ability to attend professional development opportunities

Response – Emerge Aotearoa

All kaimahi at EAL have a performance development plan in place that outlines their goals for professional development, and this is regularly reviewed with their line manager during monthly supervision sessions. Service Managers prioritise kaimahi being able to attend core training sessions and adequate staff cover is provided to enable this. EAL encourages kaimahi to pursue professional development and our Workforce Development Team accepts applications for external and internal trainings, courses and workshops that will support kaimahi in their workplace practice.

EAL provides a thorough online and in-person induction as well as a comprehensive core training programme for all frontline kaimahi. Since the Mana Mokopuna visit, EAL has reviewed the professional development opportunities for the team at Toe Afua Le Taeao and has partnered with Oranga Tamariki to add to the existing training that is offered. EAL met with the Programme Manager Youth Justice Transformation and identified the training needs and what resource Oranga Tamariki had to meet these. Training was delivered by Oranga Tamariki for the fale kaimahi in November 2023 and covered content specific to community remand home settings (Dangerous Dynamics, Professional Boundaries, Effective Communication, Teachable Moments). This is anticipated to be an ongoing partnership for professional development and to complement the core training EAL already has in place.

Response – Oranga Tamariki

Oranga Tamariki welcomed the opportunity to partner with Emerge and provide training for Teo Afua Le Taeao kamahi in November 2023. The training that was provided is included in our response above to Systemic Recommendation Two. We look forward to supporting further professional development opportunities in 2024.

Recommendation 4

Develop and implement a supervision policy to support kaimahi both professionally and culturally.

Response – Emerge Aotearoa

EAL has a professional supervision policy and procedure for all kamahi at all levels within the organisation. This policy outlines that kaimahi will receive a minimum of monthly line management supervision/1:1 session. There is a supervision template that line managers and kaimahi complete to provide a written record of what is discussed and both parties receive a copy.

We recognise that at Toe Afua Le Taeao monthly line management supervision was not happening in a timely and consistent manner. We are addressing this and have put processes in place to meet this requirement. Kaimahi are sent a calendar invite from their manager via their outlook email, so they have sufficient notice and time to prepare for their monthly supervision session.

EAL is guided by its strategic pou to achieve cultural outcomes for Māori and Pasifika. This is supported by our Te Puna Ora team and our Pasifika Responsiveness Team. Toe Afua Le Taeao has worked closely with the regional kaiārahi and Pasifika partner around important things like the naming ceremony, mihi whakatau and cultural language weeks.

We acknowledge that the cultural support has occurred at a higher regional and management level and there is a need for this to be filtered down to a service level to support the kaimahi working with rangatahi. Toe Afua Le Taeao supports a high percentage of Māori and Pasifika rangatahi and is it important that the kaimahi have the cultural competence and skills to support these needs.

Following this recommendation, we are working to secure a Pasifika cultural supervisor to facilitate group supervision for kaimahi and working to upskill their confidence and capability in Te Ao Māori.

Response – Oranga Tamariki

Funding for external supervision is provided in the budget for the fale to cover supervision for the service manager or team leader. Oranga Tamariki encourages the use of group supervision for kaimahi who work in homes providing community remand placements, which can be facilitated by management, or facilitated by an external, trained supervisor such as a qualified social work supervisor, or counsellor with supervision qualifications.

An evaluation of four community-based remand homes, including the Toe Afua Le Taeao fale, was commissioned by Oranga Tamariki. This evaluation was published in May 2022.

<https://ot.govt.nz/assets/Uploads/About-us/Research/Latest-research/Community-based-remand-homes/CBRH-evaluation-final-Dec22.pdf>

The evaluation provided learnings to inform the development of the New Builds¹ project, an exploration of what was working well, and highlighted opportunities for improvements. The conclusion about the work being done at the fale was: *“Aufua le Taeao has done well to establish itself as a new remand home under the umbrella of Emerge Aotearoa. Aufua management and kaimahi have managed to successfully establish a service, put in place the necessary processes and learn about what it takes to successfully run a remand home. Oranga Tamariki support of the establishment of the service as a Pacific service is acknowledged. Much more work is needed to enable EA [Emerge] to fully demonstrate the uniqueness and value of a Pacific-focused service.”*

Recommendation 5

Ensure communication and information from Emerge Aotearoa is appropriately disseminated through all levels of operations for the fale.

Response – Emerge Aotearoa

We accept this recommendation and recognise that in a large national organisation it can be challenging to disseminate information across all levels consistently.

EAL has multiple modalities in place to ensure that important updates are communicated from the top down through things such as our CEO vlog, announcements on our Intranet, key message documents for all staff around policy changes and online drop-in sessions for all kaimahi for big change processes or projects.

At Toe Afua Le Taeao when this visit occurred regularly monthly team meetings were not in place so there was not a forum for the Service Manager to pass on information and updates in a direct way that ensured all kaimahi received the same message.

Following this recommendation, we have put in place a structure to ensure monthly team meetings are happening and that the information discussed is documented and disseminated to all as well as using a mixed method of in-person and online options so those not on shift can attend. EAL has a staff meeting template that is standardised across all services and covers all key areas for service level teams.

¹ In Budget 19, Treasury awarded funding for the New Builds programme initiative to establish community-based youth justice placements. The New Builds programme aspires to help young people build lasting connections to whānau, hapū and local community, as well as engage young people in education/training and culturally appropriate services that meet their needs to achieve longer-term goals of reducing the severity and frequency of re-offending, reducing Māori disparities, and improving wellbeing.