

3 April 2023

9(2)(a)

Tēnā koe 9(2)(a)

Thank you for your email of 2 March 2023 to Oranga Tamariki—Ministry for Children (Oranga Tamariki), requesting information on policy around of interest. Your request has been considered under the Official Information Act 1982 (the Act).

You have requested:

- *Can you please provide the organisations policy on staff working on cases if they know the family or are related to the family concerned.*

The Oranga Tamariki Code of Conduct provides guidance on what is expected of staff where a real or potential conflict of interest arises. Please see this document attached as *Appendix 1 – Code of Conduct*.

The term 'practitioner' for the purposes of this response refers to anyone who works directly on a child or young person's 'case' and includes Social Workers, Supervisors, Practice Leaders, and Family Group Conference Coordinators.

Oranga Tamariki is a work environment where employees who deliver services to tamariki and rangatahi may be users of our services or have whānau that are users of our services. We also have employees who provide services to us in the role of a caregiver. Practitioners are not expected or required to work in a professional capacity where there are these personal relationships. There is an expectation that practitioners will tell their line manager about any real or potential interests that could be perceived as a conflict as soon as they become aware of them.

If a practitioner has disclosed personal conflicts or relationships a supervisor must consider the practitioner's personal, professional, and cultural worldviews and be mindful of any clash, conflict, or tension with whānau or family views. They must consider how this can be managed by:

- Support can be enlisted either within the site or from an alternative site; this could include allocating another caseworker.
- on-site files can be made confidential.

Disclosure of conflicts of interest is a continuous process as interests change and new conflicts may emerge daily over time. You can read more about our Conflicts of Interest Policy [here](#) and the Conflict of Interest register form [here](#).

Oranga Tamariki intends to make the information contained in this letter and any attached documents available to the public. We will do this by publishing this letter and attachments on our website. Your personal details will be deleted and we will not publish any information that would identify you as the person who requested the information.

I trust the information provided is useful. I encourage you to raise any concerns about the response with OIA_Requests@ot.govt.nz.

Alternatively, you are advised of your right to also raise any concerns with the Office of the Ombudsman by contacting them on 0800 802 602 or at info@ombudsman.parliament.nz.

Nāku noa, nā

A handwritten signature in black ink, consisting of several overlapping loops and a trailing line, located below the text 'Nāku noa, nā'.

Julie Miller
General Manager Monitoring and External Relationships
Quality Practice and Experiences



**ORANGA
TAMARIKI**
Ministry for Children

CODE OF CONDUCT

2022

Introduction

We act in a way that is consistent with Oranga Tamariki Values, with a spirit of service to the community, and we meet high standards of integrity and conduct in everything we do.

This Code of Conduct provides guidance on what is expected of us as we work towards ensuring that all tamariki are in loving whānau and communities where Oranga Tamariki can be realised. It provides examples and guidelines on what living our values and doing things 'The Oranga Tamariki Way' looks and feels like every day.

The Code of Conduct empowers us to do the right thing in any situation – from everyday choices to those decisions that are complex or difficult. It cannot anticipate every situation that might arise, but it provides a starting point in every case and its principles are to be applied sensibly and reasonably.

No matter what our role is in Oranga Tamariki, whether we are an employee or a contractor¹, the Code of Conduct applies to us all. It applies to what we do inside and outside of work hours, where our actions could bring Oranga Tamariki into disrepute or damage the trust and confidence Oranga Tamariki has in us.

As we live up to the expectations of the Code of Conduct, we make Oranga Tamariki a great place to work and help bring about a New Zealand where tamariki and rangatahi are valued above all else.

Know the Code of Conduct

- We use the Code of Conduct to help do the right thing by tamariki and rangatahi
- We know this Code of Conduct is intended to guide good decision making
- We are individually responsible, and take accountability for, our actions and decisions
- We know it's OK to ask for help when we are unsure or conflicted
- We work in a supportive, positive, respectful and inclusive environment where there is a focus on continual improvement, growth and learning.

¹ A contractor refers to a person providing backfill or extra capacity in a role that exists within Oranga Tamariki or acts as an additional resource for a time-limited piece of work (project work).

Our obligations

- All public servants are trusted by the people and the Government of New Zealand with the stewardship of resources and information. Here at Oranga Tamariki we are also entrusted with the care and protection of some of our most precious taonga – our tamariki and rangatahi.
- We hold ourselves to high standards to ensure we deserve that trust. We comply at all times with (and this Code of Conduct also incorporates) the State Services Commission Standards of Integrity and Conduct which includes the overriding expectation that we are fair, impartial, responsible and trustworthy in all aspects of our work and our employment more generally.
- We comply with the law, with regulations and with our own organisational policies, procedures and frameworks at all times. We protect our tamariki and rangatahi by maintaining political neutrality and keeping our personal political views out of our work and our work out of politics.
- Any breaches of this Code of Conduct will be acted on appropriately, in line with Oranga Tamariki policies and procedures, and could lead to disciplinary action up to and including termination of employment.

Our values

Our values describe the core principles which underpin the expected behaviour of all people who undertake work for Oranga Tamariki. Our people play an important role in building a positive culture and ensuring we act with tamariki and rangatahi in the forefront of our mind before we undertake any action or inaction which may impact them. Our values help guide our leaders and our people to lead by example.

Our values provide us with clear guidance on the behaviours and conduct we are expected to demonstrate to support a positive work environment where tamariki, rangatahi and their whānau are prioritised.

We will demonstrate and promote the Oranga Tamariki values through our work by:

- Ensuring the safety and wellbeing of our tamariki and rangatahi is our primary focus in everything we do. We will ask ourselves 'Is this the right thing to do for the child?' and seek advice from our colleagues committing to continuous improvement and creating better ways of doing things.
- Ensuring we uphold Te Tiriti O Waitangi (The Treaty of Waitangi) and its principles.
- Building positive relationships with those we work with, embracing diversity and accepting each other's differences.
- Respecting and observing the rights and privacy of the people we work with, colleagues and the public.
- Collaborating with our colleagues, partners and, stakeholders to build strong partnerships and work as one team for tamariki and rangatahi.
- Carrying out our duties competently and efficiently, using our skills and resources to the best of our ability. This includes being present at work as required and giving our full commitment to the performance of our duties and complying with all lawful and reasonable instructions relating to our employment.
- Being accountable for our own obligations, decisions and behaviours and those we are responsible for and ensuring our behaviour inside and outside of work does not bring Oranga Tamariki into disrepute.
- Contributing to a healthy and safe working environment for ourselves and others. This includes speaking up and not tolerating unacceptable or unwelcome behaviour, demonstrated by action or inaction, when we see or hear something that concerns us.
- Acting as kaitiaki (guardians) of Oranga Tamariki resources, being responsible, managing and protecting those resources carefully, and using them only for intended purposes.



WE PUT TAMARIKI FIRST

We will challenge when things aren't right for the child.

WE BELIEVE AROA IS VITAL

It keeps us focused on what is right.

WE RESPECT THE MANA OF PEOPLE

We listen, we don't assume, and we create solutions with others.

WE ARE TIKA AND PONO

We do what we say we'll do.

WE VALUE WHAKAPAPA

Tamariki are a part of a whānau and a community.

WE RECOGNISE THAT ORANGA IS A JOURNEY

We understand the long-term impact of our actions today.

Expectations and responsibilities of our people

Mana Tamaiti

The Oranga Tamariki Legislation makes explicit our expectations to improve outcomes for Tamariki Māori by reducing disparities, developing strategic partnerships with Māori/Iwi and giving regards to 'Mana Tamaiti, Whakapapa and Whānaungatanga'.

The principles of Mana Tamaiti are aligned with our core values of aroha, mana, tika, pono, whakapapa and oranga are further embedded within our Oranga Tamariki Māori Cultural Framework and standards. The Oranga Tamariki Māori Cultural Framework (in the resources section of Te Pae) promotes a culture within Oranga Tamariki that positively reflects respect of tamariki Māori and their intrinsic and inherent right to their culture and whakapapa.

We expect our staff to know, understand and practice all these key standards within the Oranga Tamariki Māori Cultural Framework.

Conflict of interest

Potential conflicts of interest can arise every day in our line of work at Oranga Tamariki. A conflict of interest is a situation where our personal or professional interests may conflict with our role, obligations or responsibilities within Oranga Tamariki, or with the broader role, obligations or responsibilities of Oranga Tamariki. Sometimes the appearance or perception of such a conflict of interest can be just as damaging to our reputation, and/or your ability to perform the role for which you are employed, as an actual conflict.

It is important that we do not act in a way that uses, or in which we could be seen as using our influence, role or position to personal advantage or to the advantage of others we are associated with, and that we do not let personal interests or views affect our decisions.

You are welcome to express political views in your own time without undermining the ability of agencies to provide free, frank and impartial advice and support to Ministers. If you do wish to express a view, it must not identify your opinions with, or give the impression they are speaking on behalf of, Oranga Tamariki and must not use information obtained in your role that is not in the public domain for political purposes.

If you have regular, direct contact with Ministers, or represent Oranga Tamariki publically, you should exercise careful judgement when considering involvement in political activities.

If you are considering other paid work, a business activity or service, it is expected you will disclose your intentions prior to starting in any other role and that any secondary employment will not conflict with your duties at Oranga Tamariki.

There is an expectation that any real or potential interests that could be perceived as a conflict will be declared with your line manager as soon as you become aware of them. This includes situations where you have entered into a close personal or intimate relationship with a direct report or direct manager, or with another colleague or individual in circumstances which may give rise to an actual or perceived conflict. This is to safeguard both you and Oranga Tamariki. By being open and honest as soon as we see a potential conflict of interest, a conversation can be held, and any necessary steps put into place, to ensure it doesn't become a problem.



Disclosure

The employment relationship is based on trust and transparency. It is expected that you will openly declare conflicts of interest, concerns or issues with your manager that will impact on your ability, or the ability of others, to undertake Oranga Tamariki work.

Oranga Tamariki is a work environment where employees who deliver services to tamariki and rangatahi may be users of our services or have whānau that are users of our services. We also have employees who provide services to us in the role of a caregiver. We expect that if you, or your whānau, are using our services that you declare this to your manager. Likewise, if you are a caregiver of tamariki or rangatahi of Oranga Tamariki, that you declare this to your manager as soon as possible.

A wide range of people who work for Oranga Tamariki have criminal conviction background checks completed prior to, and throughout their time with us, to ensure we provide a safe environment for the tamariki and rangatahi we work with. If in the course of your employment with us, you are charged for a crime that may result in a conviction and/or you do receive a criminal conviction, you are responsible for informing your line manager of the situation at the earliest opportunity to do so.

If you are responsible for the management of a budget, or are responsible for the management of Oranga Tamariki money, e.g. you hold a Oranga Tamariki debit or credit card, and are declared bankrupt, or enter into a No Asset Procedure, you must inform your manager immediately. In many circumstances such personal financial matters may not directly affect your employment, but they may create a risk that needs to be managed.

Our information

Given the nature of the work we do, we have access to confidential, sensitive and personal information. It is expected that all our people will show integrity and follow the law, our policies and systems regarding collecting, storing, accessing and sharing of Oranga Tamariki information to ensure the privacy and confidentiality of information is maintained and used only for intended purposes.

This means we will act in a way that is in the best interests of the child in the use and the sharing of this information which includes the personal information of tamariki, rangatahi, their families and information we receive from other organisations.

We do not speak, or provide information, to the media regarding any work related activity, event or query, unless explicitly authorised.

We maintain professional boundaries in the use of social media, community, union or hobby group newsletters and keep our personal and professional lives separate as far as possible. We are responsible for ensuring that any interactions had on social media, including comments, posts, or photos do not cause deliberate offence or breach confidentiality of those we work with, including tamariki, rangatahi, whānau and colleagues. We show political neutrality and impartiality, including not commenting publically on Government policy.

It is important that we continue to hold this duty of confidentiality of information even after we leave Oranga Tamariki.

If you become aware of actual or potential "serious wrongdoing", then you will speak up using the appropriate avenues. Our Protected Disclosures (Whistle Blowing) Policy is one avenue that can be followed to ensure that you can be protected when doing so.



Carrying out your duties

We are all responsible for contributing to a safe and healthy work environment and to carrying out our duties as effectively and safely as possible. If there are reasons for which you do not believe you are able to undertake your duties safely you should discuss this with your manager, or if necessary your manager's manager, immediately so you are able to be provided with appropriate support, and the situation can be managed appropriately.

If there are any factors that have the potential to impair your performance, you should advise your manager to ensure the right support can be put in place.

There is an expectation that you should present to work free from the influence of drugs and or alcohol. If there is a genuine concern that you are under the influence of drugs and or alcohol you can expect that this will be raised, discussed and addressed with you (as a potential rehabilitation and/or disciplinary matter) as soon as this becomes known.

Our resources

We are guided by Oranga Tamariki values, processes and policies to support decision making with regard to the use of resources.

We adhere to our policies regarding the acceptance and management of rewards or benefits, and in the use of public money and resources. We also exercise judgement in any instances where cultural sensitivity or traditions are to be considered.

You will ensure that all Oranga Tamariki property, business tools, resources and money are used for business purposes only, are treated with care, and used sensibly and economically.

If we are unsure about a decision or action around the appropriate use of resources or acceptance of gifts, rewards or benefits, we will follow the guidance developed.

Policy owned by GM, People and Leadership
Last updated: February 2022
Due for review: February 2023



orangatamariki.govt.nz