Dear [Redacted]

Thank you for your email of 25 October 2018 to Oranga Tamariki—Ministry for Children (Oranga Tamariki), requesting the following information under the Official Information Act 1982 (the Act):

How many former and current Oranga Tamariki employees are facing charges before court as of today, 25 October?

What are the natures of the charges against them?

In each case, how many children were on their caseload in the six months leading up to their alleged offending?

In each case, how many days was their supervisor absent or unavailable in the six months leading up to their alleged offending?

Finally, I would like to request emails and any other written communication including memos, notices, meeting notes, minutes and advisories sent both internally and externally relating to these people’s alleged offending.

That same day, you clarified your request as follows:

Hi there, following discussion with a member of the Oranga Tamariki media team I am happy to exclude call centre, operations, admin and communications staff from this request, but only if they have no contact with children. I still want to include everyone else (regardless of their contact with children) including managers and executives.

When Oranga Tamariki becomes aware that an employee has committed, or may have committed, a criminal offence, whether while carrying out the functions of their position or outside work, there is a robust internal investigation process in place to determine whether misconduct or serious misconduct has occurred. These investigations are undertaken at a local management level and information about them is not collated centrally. This means that we do not have a way to extract this information without examining the individual personnel files of all staff to see whether they have been the subject of an investigation and, if so, whether it involved criminal charges. As such, we are unable to provide you with the information you have
requested. The Act provides grounds for this under section 18(f), which allows us to decline a request when the information cannot be made available without substantial manual collation. We have considered the greater public interest and believe that it is in the effective and efficient administration of the public service. It follows that we are also unable to answer the other questions in your request. I have consulted with the wider organisation and considered whether we would be able to respond to your request given extra time, or the ability to charge for the information requested, and have concluded that, in either case, our ability to undertake our work would still be prejudiced.

In cases where a report of concern is received or where Oranga Tamariki is otherwise made aware of an offence committed against a child, Oranga Tamariki takes immediate action to ensure the safety of the child and provide support to the child and their whānau. Where there is any indication of child physical abuse, sexual abuse or neglect, we notify Police as per the process set out in our Child Protection Protocol (CPP). Police similarly report these types of offences to Oranga Tamariki. Detailed information about the CPP can be found at:


Unless a charge meets the threshold for referral as a CPP case, the Police do not have an obligation to report to us about charges they bring against a person, including persons employed by Oranga Tamariki.

When considering persons for employment with us, if the position is determined to be a ‘children’s worker’ position under the Vulnerable Children Act 2014 (the VC Act), additional checks must be completed by the manager and a safety check risk assessment form completed prior to employment. Positions that are deemed to be children’s worker under the VC Act include all paid new and existing employees and contractors who provide a regulated service that may or does involve regular or overnight contact with children (up to 17 years of age) or where contact with children could take place without a parent or guardian of each child being present. Children’s worker safety checking is made up of the following steps actioned by the hiring manager:

- Police vetting (the Clean Slate Act 2004 does not apply to children’s worker positions)
- reference checks
- qualifications checks (if required for the role)
- identity confirmation
- third party checking
- internal system checks (e.g. our CYRAS record management system)
- other required information, for example CV and interview.

Children’s workers must undergo a safety check within three years from the date of their last safety check for the duration of their employment with us. Failure to comply is an offence. The safety check for children’s workers is in addition to the standard Police vetting, alias checking and bankruptcy checking undertaken for Oranga Tamariki employees and contractors.

In relation to our frontline social worker roles specifically, it is Oranga Tamariki policy to only employ social workers registered or those we consider ‘registerable’ with the Social Workers
Registration Board (SWRB). It is an Oranga Tamariki requirement that SWRB registration is maintained for the duration of their employment with us. Our ‘registerable’ social workers are largely comprised of graduates of qualifications recognised by the SWRB who are working to attain the level of on-the-job experience the SWRB requires for registration. Requirements for social worker registration and compliance are determined in-line with the Social Worker Registration Act 2003.

Under the SWRB Code of Conduct, it is incumbent on all registered social workers to advise the SWRB when they are the subject of a complaint or facing criminal charges in order to maintain their registration. Currently, the expectation is that this should be disclosed as soon as possible, and must be disclosed when applying for an Annual Practicing Certificate, a requirement for acquiring and maintaining SWRB registration. A copy of the SWRB Code of Conduct can be found at:


Additionally, Oranga Tamariki has a Memorandum of Understanding (MoU) with the SWRB regarding information disclosure relating to complaints about practice or competence of registered social workers employed by Oranga Tamariki. A copy of the MoU can be found at:


Oranga Tamariki intends to make the information contained in this letter available to the wider public shortly. We will do this by publishing this letter 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.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@ot.govt.nz.

If you are not satisfied with this response, you have the right to ask an Ombudsman to review this decision. Information about this is available at www.ombudsman.parliament.nz or by contacting them on 0800 802 602.

Yours sincerely

Steve Groom
General Manager Public, Ministerial and Executive Services