Ministry Response to the Inquiry into a Serious Case of Child Abuse Recommendations

Rec.	Recommendation of Inquiry	What is Being Done and Has Been Done	What is Proposed to be Done
1	That you note the strong emphasis I have made throughout this Report on the incontrovertible need for all those involved in child safety, welfare and protection, to ensure a child-centred perspective that focuses on the child, and that all other considerations be subordinated to the principle in section 6 of the Children, Young Persons, and Their Families Act 1989. Areas for Action from Chief Social Worker's Practice Review	As at July 2011 Child, Youth and Family has commenced development of a Safe Strong Practice strategy, through which practice quality in Child, Youth and Family can continue to be improved and become more child-centred. This includes: - the introduction of Critical Risk Checks (11 April 2011) - the strengthening of the Caring for Children policy	As at July 2011 9(2)(f)(iv)
	Re-enforcing child centred practice Intensifying social worker effort to establish safety and wellbeing, particularly at transition e.g. children returning home Strengthening critical reflection by social workers	 (1 April 2011) the strengthening of practice around regular contact with children when Child, Youth and Family are involved through agreements, family group conference plans or support or services orders. The Deputy Chief Executive, Child, Youth and Family and the Chief Social Worker have commenced discussions with you about the strategy. The Chief Social Worker's work programme focuses on the needs of children and he will review decision-making about formal and informal placements with whānau. A fundamental reform of the Family Start programme, was directed by you in March and one of the objectives of this work is to achieve more child-centred outcomes. A key change is inclusion of performance measures and practice tools that require programme providers to focus on 	
		preventing, identifying and responding to child maltreatment. Sections on family violence and child protection in the Well Child/Tamariki Ora Handbook have been updated, and training that includes a particular focus on neglect and abuse and protection from harm is being rolled out from July 2011.	

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		Update as at October 2011	9(2)(f)(iv)
		Completed:	
		- Introduction of Critical Risk Checks (1 April 2011)	
		 Strengthening of the Caring for Children policy (1 April 2011) New policy and practice guidance requiring greater attention at times of transition, particularly return home (1 April 2011) All social work staff have completed the Foundation Safe Strong Practice training course (end August 2011) Coaching workshop for all supervisors and practice leaders incorporated into Advanced Safe Strong Practice training curriculum (30 June 2011) New policy on minimum visiting requirements for children when they return home from care of once a week for four weeks (1 April 2011) New policies (i.e. training modules and key practice information for social workers) on (30 June 2011) parenting assessments dynamics of sexual abuse and building safety managing complexity and transition planning 	I am in discussions with ACC and MOH about improving the governance of counselling for vulnerable children and will report progress to you at a later date. Update as at October 2011 Discussions are continuing with ACC and MoH re counselling issues. 9(2)(f)(iv)
		o engagement with fathers	
		- Practice curriculum on returning children home in place incorporated into Foundation and Advanced Safe Strong Practice training	

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		courses (30 June 2011)	
		- Completed curriculum for Advanced Safe Strong Practice training course (30 June 2011)	
		To be completed:	
		- Quality Practice Framework	
		 the development and implementation of the Quality Practice Framework (fully implemented June 2013) 	
		- Complete delivery of Advanced Safe Strong Practice training course (March 2012)	
		 Practice workshop on engagement with fathers for all front line social workers (completed by 30 December 2011) 	
		 Six month case review to check change in child centred practice (November 2011) 	
		- Twelve month case review to check change in child centred practice (May 2012)	
		 Practice guidance on social work responsibilities with children for whom CYF has a support order, specifically with regards to engagement with the children and their parent/caregiver (completed by 30 December 2011) 	
		 New family/whānau caregiver assessment and approval policy – this has a primary focus on the needs of children in the CE's custody and how family can best care for them and/or support their placement. Implementation programme currently underway with sites (March 2012) 	
		 Practice guidance to help social workers identify, assess and support safe family placements for children who are not in the CE's custody (March 2012) 	

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2	That the Chief Executive of the Ministry of Social Development, through the Deputy Chief Executive responsible for Child, Youth and Family, take appropriate action to establish the appointment of an experienced social worker to a cluster of primary and immediate schools as is currently the process of the appointment of an experienced social worker to each District Hospital Board. Area for Action from Chief Social Worker's Practice Review Strengthen CYF leadership with other professionals including schools	As at July 2011 Considerable work is underway in improving relationships between Child, Youth and Family and schools. This includes the launch of the Working Together Guide and site managers who have met with over 1,000 primary and intermediate school principals. In addition, CYF already has agreed protocols and guidelines with MoE, Special Education Services, Early Childhood Education Services, Kohanga Reo and Boards of Trustees associations. CYF is exploring the best way to bring these protocols together, potentially by way of an MOU, that will have appropriate schedules for particular pieces of work/situations. This is likely to be similar to the format used for the MoU with Police and DHBs. We are in discussion with MoE as to the best way forward. A report back to SoC is due in July. Child, Youth and Family's ongoing proposed programme of work on strengthening our relationships with schools has six strands. One of the strands is working with decile one schools. Information on this is provided below. Child, Youth and Family will continue to develop the work programme as discussed with you. The other strands in the work programme are: improved relationships, Child Matters training, gateway health and education assessments, service enhancements and SWIS. The key objectives of the proposed decile one strand are outlined below. These are that: - children are attending and engaged in school - schools are aware of options for addressing the safety and wellbeing needs of their students - schools and families within the school community are better connected with wider community supports - the relationship between decile one schools and	As at July 2011 That we provide you with a report on options for developing a long-term sustainable model by 31 July 2011, including operational and fiscal impacts of the options for social workers in schools. Update as at October 2011 Announcement of increases to frontline social work capacity (October 2011). There will be an additional 149 full-time social workers to support children in low decile primary schools. This will be done by extending the Social Workers in Schools (SWiS) programme to all decile 1-3 schools and increases the number of those with SWiS from 285 to 673. Memorandum of Understanding between CYF and Ministry of Education (report back to SOC 31 January 2012)

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		the local Child, Youth and Family site office(s) is sound and systems are in place to ensure this will be sustained.	
		Phase one: July - ongoing	
		Child, Youth and Family site managers will commence a programme of visiting all decile one schools in their areas at least once every six months. There are 232 decile one schools nationally.	
		Phase two: July 2011 – June 2012	
		It is proposed that three full-time equivalent senior Child, Youth and Family staff members at supervisor level or above be seconded to non-government organisations to provide a liaison, consultation and coordination role at the interface between specific Child, Youth and Family site offices and clusters of non-SWiS decile one schools for six months.	
		Overall, the liaison worker would be responsible for:	
		 developing the relationships, knowledge and systems required to ensure children suffering, or at risk of, harm and neglect are identified and receive appropriate supports when they require them. This includes having access to gateway health assessments if unmet health needs are causing problems at school 	
		 developing a wraparound service for children identified by Child, Youth and Family as being in the 6 – 9 year old cohort of children with the highest propensity to become youth offenders in the future 	
		 coordinating group programme responses to promote child safety and well-being, for example, programmes aimed at improving resiliency, dealing with bulling and so on. This could also include such things as access to after school programmes, and support to take part in weekend 	

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		sport. For example, for those children identified in the 6 – 9 year old cohort.	
		It is expected that the specific focus of each liaison workers role will be determined through consultation with the schools involved, and in this way be responsive to the current needs and presenting issues evident in these communities.	
		The liaison workers will be expected to develop the school/Child, Youth and Family relationship interface to the point where it will continue to function well, after the workers withdraw. It is expected that this will not be more than six months after commencing work with the cluster.	
		Phase three – July - ongoing	
		The social workers in schools service operates in 131 of 232 decile one schools across New Zealand. We fund and contract for this service.	
		The interface relationship between Child, Youth and Family site offices and social workers in schools services is important because of a shared imperative to protect and achieve better outcomes for children.	
		Child, Youth and Family will focus on enhancing communication, collaboration and trust between local social worker in schools services and site offices over the next 12 months. This will include increasing understanding of the social worker in schools/Child, Youth and Family interface guidelines and other strategies such as shared induction placements and joint training.	
		Update as at October 2011	
		Education work programme agreed with Minister (August 2011)	
		- Education Assist Line for schools	
		- CYF liaison social worker for 3 clusters of Decile 1 schools	
		- Responding to school notification and	

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		communication with schools	
		 In-house child protection champion (from school staff) 	
		- Build national level relationships with education sector	
		- Encourage greater education involvement in Family Group Conferences	
		Implementation of Education Work programme – from August 2011	
		All schools in Deciles 1-3 were contacted by the national Contact Centre before the end of term 3 (7 October 2011)	
		The Education Assist service (ED ASSIST) was launched on 26 September 2011 to enable the Child, Youth and Family Contact Centre to easily identify incoming calls from schools, to provide a smoother, more targeted response.	
		Schools continue to contact Child, Youth and Family on 0508 FAMILY as well as the ED ASSIST line.	
3	That the Chief Executive of the Ministry of Social Development, through the Deputy Chief Executive with responsibility for Child, Youth and Family, take the appropriate action to review existing processes and systems relating to social workers inputting information into CYRAS, and that the thoroughness of the training practices be examined as part of that review process.	As at July 2011	
		Child, Youth and Family has work underway to improve CYRAS recording. This includes:	
		 trialling of mobile technology to improve CYRAS recording and time spent with clients by social workers has commenced and will be evaluated by 31 July 2011. 	
	Area for Action from Chief Social Worker's Practice Review	 the development of a new training package on appropriate recording for Practice Leaders to run with practitioners 	
	Implementing further guidance on recording decisions and actions taken	 the improvement of CYRAS to assist social workers recording case plans and to unify different case actions in one place. 	

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		Update as at October 2011	
		Completed:	
		 Trial of mobile technology to improve CYRAS recording and time spent with clients by social workers completed (30 June 2011) 	
		 Training packages on recording for Practice Leaders to lead with social workers. Curriculum completed (30 June 2011) 	
		To be completed:	
		 Practice workshop on recording for all front line social workers (to be completed by 30 December 2011) 	
		 the improvement of CYRAS to assist social workers recording case plans and to unify different case actions in one place (to be completed by end 2012) 	
		 trialling iPads with front-line social workers in Christchurch (provisionally Dec 2011). This will enable a way of more quickly recording and inputting information gathered during visits with families on CYRAS – this is intended to equip staff with a mobile device that supports them in the field, and an application is being developed so that they can record directly into CYRAS. 	
4	That the Chief Executive of the Ministry of Social Development and the Ministry of Health, as a matter of urgency, be directed to review and renew the Memorandum of Understanding between the ministries with regard to child protection.	As at July 2011 A Memorandum of Understanding (MoU) between Child, Youth and Family, the Police and District Health Boards has been agreed and considered at SOC on 22 June. The MOU will be signed by 31 July 2011.	
	Area for Action from Chief Social Worker's Practice Review Strengthening CYF leadership role and improving how professionals work together	CYF, DHBs and Police have entered into a number of agreements around protocols for reporting of child maltreatment since the introduction of CYPF Act. This new MOU is designed to standardise practice across the	

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		country.	
		It will replace all previous agreements with DHBs and will further establish how agencies will work together at local, regional and national levels. The purpose of the new MOU is to set out the commitment of the three parties to a collaborative working relationship which will ensure that health and safety outcomes for children are met. It is designed to act as a Master Agreement to which a range of other agreements can be attached as schedules.	
		Update as at October 2011	
		New MoU with Police and DHBs on protection of children and improving health - includes new schedule on multi-agency case planning for children admitted to hospital with unexplained injuries or neglect (August 2011)	
5	That the Chief Executive of the Ministry of Social	As at July 2011	As at July 2011
	Development implement a review to develop protocols at the local level regarding the sharing of information between agencies, both government and non government, and to put processes in place to ensure compliance by all parties to those arrangements.	The ongoing work of Child, Youth and Family in disseminating and promoting the "Interagency guide – Working Together to keep children and young people safe" is a significant step in building on relationships and prompting information sharing at a local level. Update as at October 2011 Ongoing	9(2)(f)(iv)

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			9(2)(f)(iv) Update as at October 2011 9(2)(f)(iv)
6	That no matter which vehicle is considered to be appropriate, i.e. the CYPF Act or the Privacy Act, that the timetable recently proposed by the Ministry of Justice with regard to changes in the law relating to information sharing is accepted and acted on.	As at July 2011 Ministry of Justice proposals about improving information sharing were agreed to by SOC on 11 May. Drafting instructions have now been issued to Parliamentary Counsel Office to draft a Bill amending the Privacy Act giving effect to the decisions agreed. It is anticipated that the Bill will be considered by the Cabinet Legislation Committee in July 2011, and introduced into the House later this month.	As at July 2011 9(2)(f)(iv) Update as at October 2011 On 10 August, the Cabinet Domestic Policy

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		A further report back to SOC on 22 June noted that the Ministry of Justice will provide further advice on a broad enabling power for information sharing in response to the Law Commission's report on the review of the Privacy Act. At this time SOC also directed the Ministry of Justice and Social Sector Forum chief executives to report to the Cabinet Strategy Committee, prior to Cabinet's consideration of the government response to the Law Commission's report, to discuss a principles-based approach to the sharing of information. The Child Protection Alert System is a mechanism currently being trialled in two DHBs – Auckland and Hawkes Bay. It enables clinicians working in public hospitals in these areas to place an alert on the Ministry of Health's National Medical Warning System (NMWS) signalling if a presentation has raised concerns about child abuse and has been notified to Child, Youth and Family. The alert is then able to be viewed by clinicians in any future hospital presentations and may be used to inform their health assessments. The alerts remain on the NMWS until the child turns 17-years, or earlier if requested and following review. 9(2)(f)(iv) Update as at October 2011 9(2)(f)(iv)	Committee (DOM) approved the Privacy (Information Sharing) Amendment Bill for introduction. The Privacy (Information Sharing) Amendment Bill was introduced on 16 August 2011 and awaits its first reading. If passed the Bill would: - remove the need for a serious threat to be "imminent" before the exceptions are triggered to the principles prohibiting use and disclosure of personal information - establish a new mechanism for agreements authorising information sharing between agencies. 9(2)(f)(iv)

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		9(2)(f)(iv)	
7	That the possibility of a legislative requirement for mandatory reporting should be examined again with urgency. It should not however delay progress on the introduction of the Bill relating to information sharing referred to in the recommendation in paragraph 8.39.		As at July 2011 That the issue of mandatory reporting, including limited mandatory reporting, be explored in the Green Paper on Children. Update as at October 2011 The Green Paper for Vulnerable Children seeks public consultation on: - what information should professionals be able, or be required, to share about vulnerable children?
8	That the Government proceed with the proposed legislation to amend the Crimes Act relating to the protection of children as a matter of urgency and progress the Bill through the cabinet committee stages to permit introduction and passing within the 2011 legislative programme.	These amendments were introduced into the House on 12 April.	As at July 2011 9(2)(f)(iv) Update as at October 2011 The Crimes Amendment Act (No 3) received royal assent on 19 September 2011 and comes into force 19 March 2012. Of relevance to child protection the amendments to the Crimes Act 1961: - clarify the legal duty of a parent and person in place of a parent who has

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			actual care of a child to provide the necessaries of life and to protect the child from injury
			 increase the maximum penalty for conduct or omission by anyone with actual care of a child causing suffering, injury, adverse effect to health, or mental disorder to ten year's imprisonment
			 create a new offence of failure to protect a child.
			The offence of failure to protect a child is committed if a member of the same household as the child:
			- has frequent contact with that child; and
			 knows that the child is at risk of death, grievous bodily harm, or sexual assault because of an unlawful act or omission by another person; and
			 fails to take reasonable steps to protect the child.
			"Reasonable steps" is not defined. The maximum penalty is ten year's imprisonment.
9	That, immediately on passing such a law, there is an intensive public communication programme to ensure there is wide coverage of these important changes to the law relating to the protection of vulnerable children.	nmunication programme to overage of these important	As at July 2011
			The Ministry of Justice is responsible for the Bill and how its contents are communicated to the public.
			We will ensure the Secretary for Justice is aware of this recommendation.
			Update as at October 2011
			We have a strategy to ensure our

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			stakeholders are aware of the amendments as they apply to our role. The Ministry of Justice is also developing a strategy.
10		As at July 2011 9(2)(f)(iv)	As at July 2011 9(2)(f)(iv)
			Update as at October 2011 9(2)(f)(iv)

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11 (i)	That a policy be developed as a priority to Child, Youth and Family in collaboration with other agencies involved from time-to-time in child welfare, safety, and protection, to establish a process for multi agency case consultation to occur among professionals involved in any particular case. This process shall include Child, Youth and Family as the lead agency, Police, School Principal, District Health Board representative, and any other government agency that may be involved in any particular case e.g. Housing NZ. The case consultation should include the Child, Youth and Family social worker involved, but be chaired by a senior officer in the particular Site Office of Child, Youth and Family.	As at July 2011 Considerable work is already underway in improving multiagency case consultation: - On 1 April, Child, Youth and Family introduced policy and practice changes that require meetings with all professionals involved with the child and family to be held prior to returning a child home when they have been in care. There is also a requirement to have a meeting within four weeks of the child returning home which discusses how often the Child, Youth and Family social worker will visit the child and to formulate a plan for the next three months. They will use the Group Consult Tool as a framework for the meeting.	As at July 2011 Changes to the law on information sharing and collaboration will specifically empower and, in certain circumstances, compel case collaboration and consultation, and contribute to more child-centred meetings being held. Update as at October 2011 The Privacy (Information Sharing) Amendment Bill which proposes changes to the law on information sharing was introduced to the House on 16 August. It is currently awaiting its first reading.
11 (ii)	That the development of a protocol at both national and all local levels to mandate the policy and establish the process.	- There is then a requirement to initiate and lead three monthly professionals' meetings following the return home of the child. These will include inpt from any contracted service providers eg	
11 (iii)	That the Principal Family Court Judge is informed of the policy and the process, and judges be invited to refer matters before them for such a case consultation by professionals involved in any case should the court so wish.	nursing bureau staff or counsellors. - The Chief Social Worker is leading practice in this area through the development of the assessment framework. The imminent law changes will support this assessment framework by enabling social workers to bring people together to assess	
11 (iv)	That at the Site level there be negotiations with non government organisations or other organisations and individuals e.g. counsellors, involved regularly, or in any particular case, to participate in any professionals' case consultation.	the safety and needs of the child, plan for services and then review progress. Update as at October 2011 Completed:	
11 (v)	That a provision is made in the CYPF Act 1989 for such a case consultation process as discussed in this report.	- Child Matters workshops in place and regular programme of workshops underway (30 June 2011)	
	Areas for Action from Chief Social Worker's Practice Review Increasing community knowledge of reporting child	New MoU with Police and DHBs on protection of children and improving health - includes new schedule on multi-agency case planning for children admitted to hospital with	

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	abuse and neglect	unexplained injuries or neglect (August 2011),	
	Strengthening CYF leadership role and improving how professionals work together	 Policy and social work guidance in place requiring planning meeting with professionals prior to return home and four weeks after the return home from care and every three months thereafter (1 April 2011) 	
		 Internal communication on policy changes on return home meetings (30 June 2011) 	
		- Child Protection Protocol (May 2010)	
		 Launch of the "working together" guide (December 2010) 	
		 Requirement for every Site Manager to visit schools in their areas to provide them with the guide (June 2011) 	
		To be completed:	
		- Gateway Assessments – o Assessments will contribute to a three way child development agreement between CYF. health service and school/ECE (implemented in all areas by December 2012)	
		 Memorandum of Understanding with Education providers Report on progress due to SOC 31 January 2012 	
		 New CYRAS assessment recording tool (mid- 2012) 	
12	That the Chief Executive of the Ministry of Social Development be directed to investigate and report as to the establishment in New Zealand of a Court known as the Child Protection Court.	As at July 2011 The Ministry of Justice is leading a review of the Family Court.	As at July 2011 That this is considered within the Ministry of Justice-led Review of the Family Court.

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		The aim of the Review is to improve the Family Court so that it is sustainable, efficient, cost-effective, and responsive to the children and vulnerable people who need to access its services. It also aims is to ensure that the processes of the Family Court are straightforward and its decisions are fair, timely, and durable. Subject to Cabinet approval, MoJ intend to release a public consultation document in September 2011.	Update as at October 2011 The Ministry of Justice released its public discussion paper on review of the Family Court on 20 September 2011. Public submissions close at the end of February 2012 (the same as for the Green Paper for Vulnerable Children). The discussion document does not specifically mention the possibility of a new or separate Child Protection Court but does ask questions and invite comment on the jurisdiction of the Family Court.
13	That the Chief Executive of the Ministry of Social Development, through the Deputy Chief Executive for Child, Youth and Family and the Chief Social Worker of Child, Youth and Family, develop a training plan covering all work undertaken in the regions and individual sites which will lift the levels of social work skills and practice, supervision processes and skills throughout Child, Youth and Family. With regard to training social workers, the requirements of a Support Order under s.93 of the CYPF Act need to be emphasised. Area for Action from Chief Social Worker's Practice Review Strengthening Critical Reflection by Child Youth and Family social workers through training and support for practice leaders and supervisor	As at July 2011 Significant work is already underway to improve social work training and practice in line with this recommendation. This includes the introduction of Safe, Strong Practice training and of a Practice Leadership Curriculum. Update as at October 2011 Completed: - Completed delivery of Foundation Safe Strong Practice workshops to all front line social workers, including supervisors and practice leaders (30 June 2011) - New curriculum on Practice Leadership (for practice leaders and supervisors) completed and being offered to all new supervisors and practice leaders (June 2011) - Delivered Brainwave trust presentations to all staff in the residences - Design of Advanced Safe Strong practice curriculum completed (30 June 2011)	As at July 2011 9(2)(f)(iv)

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		 Coaching workshop for supervisors and practice leaders incorporated into the Advanced SSP practice curriculum (30 June 2011) 	
		To be completed:	
		 Brainwave trust presentations will be delivered in 12 Operational Areas for both staff and caregivers by 30 June 2012. 	
		 Delivery of Advanced Safe Strong Practice underway (completion due August 2012) 	
		 Design and development of a continuing professional development series of workshops (completion due June 2012) 	
		- Implementation will begin in October 2012	
	Area for Action from Chief Social Worker's Practice Review	Completed:	
	Sites to strengthen administrative practice on receiving and responding to mail	 All sites reviewed administration processes relating to mail 	
	receiving and responding to mail	 New process in place at all sites (30 June 2011) 	