



Report Title:	RCOI Abuse in Care – accountability for individual public and state servants		
Report No:	MoSR 2025-0060		
Date:	4 February 2025		
To:	Hon Judith Collins KC, Minister for the Public Service		
Action Sought:	Note and agree	Due Date	21 February 2025
Cc:	Hon Erica Stanford, Lead Coordination Minister for the Government’s Response to the Royal Commission’s Report into Historical Abuse in State Care and in the Care of Faith-based Institutions		
Contact Person:	Hugo Vitalis, Deputy Chief Executive, Strategy, Policy and Integrity		
Contact No:	9(2)(a) privacy		
Encl:	Yes	Priority:	Medium
Security Level:	IN CONFIDENCE		

Executive summary

1. In parallel to the Government response to the final report of the Royal Commission of Inquiry into Historical Abuse in State and Faith-Based Care (RCOI), the previous Minister for the Public Service asked Te Kawa Mataaho Public Service Commission (PSC) to provide assurance that claims of individual public servant misconduct made in the report are, or have been, adequately addressed. We provided an initial briefing in August 2024 [BR2024-0246 refers – see Attachment 1].
2. From our review of the final report and engagement with relevant agencies, we have not identified any current public or state servants that are referenced (by name, title, or otherwise) in the final RCOI report for individual accountability purposes.

6(c) maintenance of the law

4. No other agencies have identified any current public or state servants with allegations of abuse or neglect against them that relate to the RCOI period.
5. All agencies have provided assurances that, should they receive a complaint or claim of this nature, they will respond appropriately. To the extent it is possible, this will include working

¹ The RCOI covered the period from 1950 to 1999.

to identify individuals for accountability purposes. These assurances also apply to any instances of cover-ups² that are raised with agencies.

6. As well as ensuring personal accountability for historical misconduct where possible, it is also important to acknowledge and address the systemic factors that enabled this behaviour to occur and go unaddressed for so long. Since our last briefing, the Crown Response Chief Executives Group (the CEs Group) was established to enable a timely response to the RCOI recommendations, and to ensure both individual agency accountability and a joined-up system response. This group is accountable to Ministers. As Chair of the CEs Group, Statutory Deputy Public Service Commissioner Rebecca Kitteridge will set expectations with chief executives regarding an ongoing commitment to ensuring allegations relating to the RCOI period are explored appropriately when raised, including considering individual accountability where relevant.
7. We will brief you in early 2025 on our forward-looking integrity programme which includes a key focus on upholding the accountability of the Public Service.

Recommended Action

We recommend that you:

- a) **note** OT is actively considering allegations of abuse or neglect **6(c) maintenance of the law**. OT has provided a further briefing to the Minister for Children directly on these matters.
- b) **note** that, with the exception of the cases being dealt with by OT, no current public or state servants have been identified for accountability purposes from our assessment of the final RCOI report or our engagement with relevant agencies.
- c) **note** all agencies have provided assurances that they will continue to respond appropriately to claims and complaints relating to the RCOI period, including working to identify individuals for accountability purposes to the extent possible.
- d) **note** that Rebecca Kitteridge, Statutory Deputy Public Service Commissioner and Chair of the CEs Group, will set expectations with chief executives regarding an ongoing commitment to ensuring allegations relating to the RCOI period are explored appropriately when raised, including considering individual accountability where relevant. She will also ensure there is ongoing oversight on the OT cases described above.
- e) **note** our view is that proactive work to identify historical instances of cover-ups is not feasible.
- f) **note** that no further action will be taken in regard to:
 - a any public servants referenced by name or title in the final RCOI report as they are all deceased or no longer public or state servants, or
 - b the three public servants referenced in recent media commentary.
- g) **note** we can discuss the Public Service Commission's forward looking integrity programme with you in early 2025. (This work is in parallel to the Government's response to the RCOI.)

² Cover-ups were defined in our previous briefing as claims in the final RCOI report that unnamed public or state servants knew that individuals were abusers but still employed them in the public or state service and/or ignored complaints of abuse or failed to deal with such complaints appropriately.

- h) **agree** that PSC release this briefing in full once it has been considered by you, subject to any appropriate redactions.
Agree/disagree.

Hon Judith Collins KC
Minister for the Public Service

Structure of this briefing

8. Our previous briefing [BR2024-0246 refers]:
- a. Addressed recent media reporting about ^{9(2)(a)} ~~privacy~~ current public servants who had been the subject of adverse commentary in previous RCOI reports.
 - b. Noted that OT has active cases about current public servants with allegations of abuse or neglect against them.
9. It also identified four broad categories of individuals with adverse commentary against them in the final RCOI report who may have been public or state servants at the time:
- a. Individuals who are identified by name
 - b. Individuals who are identified by title
 - c. Unidentified individuals who are the subject of allegations of abuse or neglect in the final report
 - d. Unidentified individuals who are the subject of allegations of cover-ups in the final report.
10. This briefing provides an update in relation to each of six areas outlined above.

Scope of this briefing

11. In terms of the scope of our work, it is important to note that:
- a. We have focussed on identifying current public or state servants who are the subject of allegations of abuse, neglect, or cover-ups referenced in the final RCOI report: *Whanaketia – Through pain and trauma, from darkness to light.*
 - b. Where it has been possible to identify individuals whose adverse conduct is described in the report, most are either deceased or no longer working as public or state servants. These individuals are outside of the scope of this work.
 - c. Individuals named in the final report who have been convicted of abuse are also outside the scope of this work as their personal accountability has been addressed

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through the justice system. Further, criminal record checks during public service employment processes would identify such convictions. It is also relevant to note that the Children's Act 2014 introduced a workforce restriction making it unlawful to employ a core children's worker with an offence outlined in schedule 2 of the Act, unless they hold a core worker exemption. An exemption can only be granted by the chief executive of a key agency as defined in the Children's Act.³ The chief executive must be satisfied that the person would not pose an undue risk to the safety of children.

- d. There is adverse commentary in the report that relates to Members of Parliament and members of faith-based institutions. Our jurisdiction does not cover these individuals.
 - e. As advised in our previous briefing, New Zealand Police (NZ Police) confirmed they received 110 referrals from the RCOI relating to individuals advising they had been abused or neglected in state or faith-based care. Of the 89 referrals that have been closed, three individuals were prosecuted. The majority of the other 86 were closed due to insufficient evidence. NZ Police cannot advise how many referrals they have received from other agencies or how those issues were resolved as this is not recorded centrally. One referral relates to a former serving member who has since died. Further, since our last briefing, we have confirmed with NZ Police that none of the three cases they have prosecuted from referrals through the RCOI relate to public servants.
12. Since our last briefing we have engaged with MSD, OT, Ministry of Education (MOE), Department of Corrections (Corrections), Ministry of Health (MOH), and Health New Zealand (HNZ). These are the relevant agencies when this briefing refers to information "all agencies" have told us.
13. While this briefing is focused on personal accountability for individuals referenced in the final RCOI report, it is relevant to acknowledge that changes have been made since the RCOI period to ensure there are now additional protections in place to improve the safety of individuals in the care of state. Oversight bodies such as the Children's Commissioner, the Corrections Inspectorate, the Ombudsman, and the Health and Disability Commissioner provide significantly more scrutiny and monitoring to ensure agencies are held to account. Work to further strengthen the system will also be part of the Government's response to the RCOI recommendations, supported by the Crown Response Office (CRO) and the CEs Group.

Individuals named in recent media commentary

14. Our earlier briefing advised there had been recent media reporting about ^{9(2)(a) privacy} current public servants who have been the subject of adverse commentary in earlier RCOI reports. Our previous briefing provided advice in relation to ^{9(2)(a) privacy} public servants.

^{9(2)(a) privacy}

³ Key agencies named in the Act are the Ministry of Social Development, the Ministry of Health, the Ministry of Education, the Ministry of Justice, and the department responsible for the administration of the Oranga Tamariki Act 1989.

Oranga Tamariki open cases about abuse or neglect allegations in the RCOI period

16. In our previous briefing, we committed to report back on how OT is handling open cases relating to allegations of abuse or neglect against current public servants. Our update is set out below. We also committed to report back on four other topics – none of those led to the identification of any current public servants for accountability purposes, but more detail on each can be found in Appendix 2.

6(c) maintenance of the law


19. These cases were not identified from the final RCOI report, rather the allegations were raised through the MSD historic claims safety check process. While this briefing is focused on the RCOI period, allegations raised through the MSD historic claims safety check process are not limited to this timeframe. For completeness, we have reported on all cases OT is currently working through.
20. The MSD historic claims safety check process is utilised when an allegation of sexual abuse or moderate to serious physical abuse is made against a named individual at any stage during a historical claim process. Part of this process involves sharing details of allegations with OT to determine if an individual is currently a staff member or an OT caregiver. (For more detail on the other checks MSD carries out during the safety check process see Appendix 2.)
21. If OT confirms to MSD that a named individual is a current staff member or caregiver, MSD will make a formal safety check referral to OT setting out details of the allegation and who it is against. OT will then consider the matter to ensure child safety, and progress appropriate action as that individual's employer.
22. OT takes all historic allegations extremely seriously and is actively working through each case. The Chief Executive of OT has asked his staff to progress resolution of all active safety referrals as soon as possible. 6(c) maintenance of the law
23. OT has provided a written briefing and further oral update to its Minister, which is more detailed than this overview. If you have further questions relating to these matters, please refer them to the Minister for Children.
24. Further, one of the roles of the CEs Group is to ensure individual agency accountability. To this end, Rebecca Kitteridge, as Deputy Public Service Commissioner and Chair of the CEs group, will be seeking regular updates from the OT Chief Executive to ensure there is ongoing oversight of these matters.

Allegations being actively considered

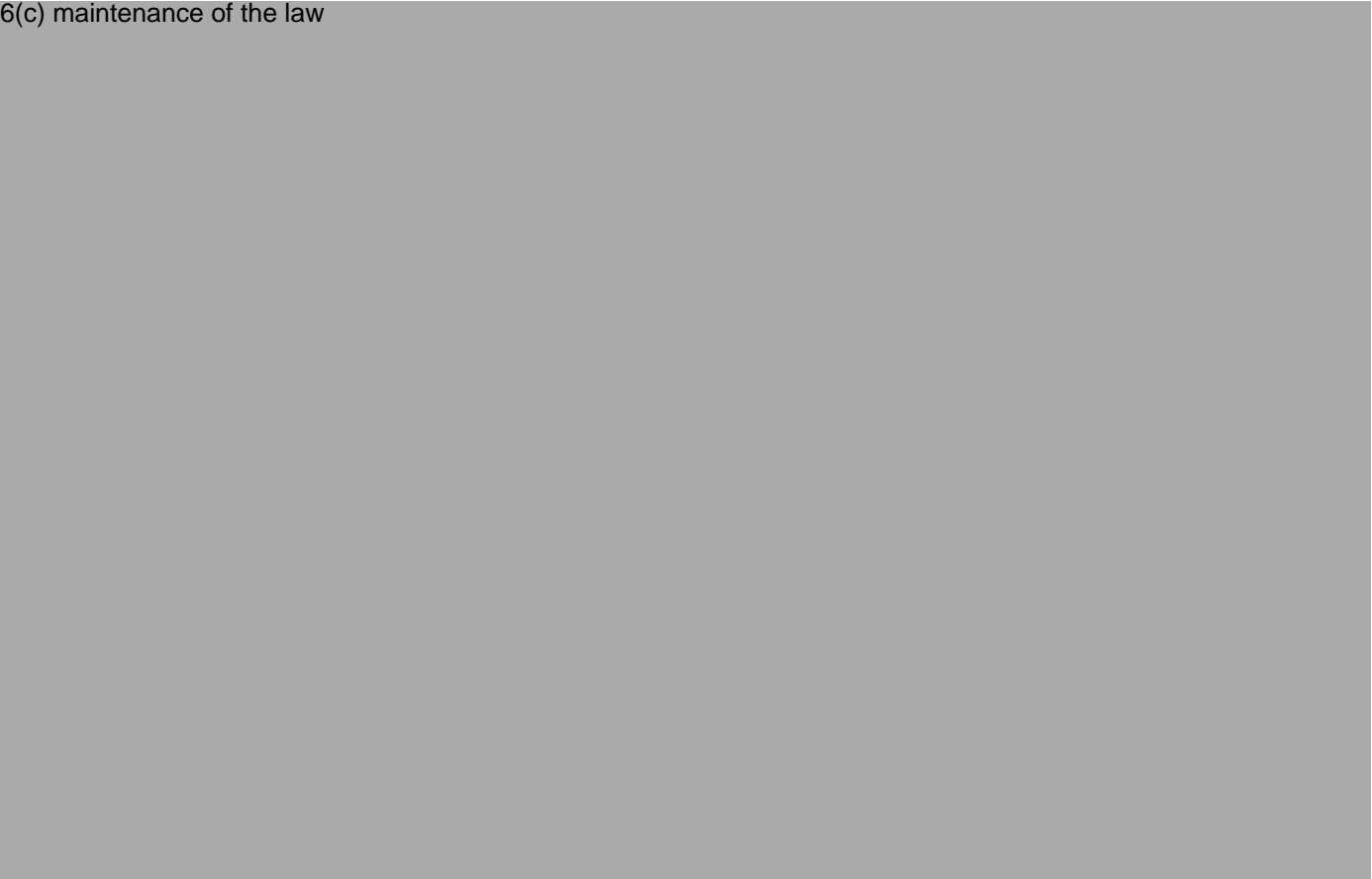
25. OT is actively considering what steps can be taken regarding 6(c) maintenance of the law allegations of abuse or neglect 6(c) maintenance of the law.

26. When a claimant has not given consent to OT to put the allegation to the staff member, OT might make an application to the High Court to do so. In cases when a claimant has filed court proceeding OT is not able to undertake HR processes without leave of the High Court. ⁴

9(2)(h) legal privilege



6(c) maintenance of the law



Individuals who are identified by name in the final report

34. Our last briefing noted ^{9(2)(a) privacy} individuals named in the final RCOI report who appeared to have worked in the public and state services during the RCOI period and may have allegations against them that fell into the cover-ups category.
35. We committed to determining if those individuals were public or state servants during the RCOI period and if any of them are current public or state servants. We have now also had an opportunity to clarify what behaviour was referenced in the final RCOI report.
36. We can advise that three were public servants during the RCOI period. One is now deceased, and we have determined there are no allegations of wrongdoing in the final RCOI report in

⁴ A 2018 court decision means if a claimant has filed proceedings in the court, OT is not able to share details with the alleged perpetrator in a manner that complies with natural justice without the express consent of the claimant. If consent has not been given, permission from the Court is required to share any information, unless information needs to be shared for the purposes of ensuring the safety of children.

relation to the other two. As none are current public or state servants, we will not be taking any further action. Further details about these individuals can be found in Appendix 3.

Individuals who are identified by title in the final report

- 37. Our previous briefing noted no further action would be taken in relation to this category as all individuals are deceased or no longer public or state servants.
- 38. Subsequently we have identified a reference in the final report to a “Chief Medical Officer” in 1984 who was described as not wanting to know about reports of abuse. MOH has been unable to link this title to a specific person, as the senior leadership structure at the time did not have an individual with this title. MOH has, however, confirmed that none of the senior leaders from this time are currently employed at either MOH or HNZ.

Unidentified individuals who are the subject of allegations of abuse or neglect in the final report

- 39. In our previous briefing, we explained that the final RCOI report makes allegations of abuse, neglect, and cover-ups against public servants who are not identifiable by name or title. We cannot identify these individuals from the information contained in the report itself.
- 40. We committed to continuing to engage with relevant agencies to provide assurance that, where possible, any allegations of abuse or neglect against current public and state servants are identified and addressed appropriately. With the exception of OT, no agency has identified any current public or state servants who are the subject of an allegation of abuse or neglect relating to the RCOI period.
- 41. The final RCOI report uses survivor case studies throughout to highlight institutional failures of care and protection that led to and perpetuated abuse and neglect. The case studies are primarily focussed on the experience of survivors, the abuse, and the impact it had. Limited details are provided in the final report about alleged perpetrators and the timing of the relevant events. In this context, the only public servants who can be identified from the final RCOI report are those referenced by name or title.

Agency processes

- 42. We note that several agencies have historic claims processes focused on providing redress to survivors on behalf of the Crown when claims are received. Agencies with existing historic claims processes have advised that when an allegation of abuse or neglect is raised with them in the context of a historical claim, best endeavours are made to identify the individuals referenced and to clarify if they are a current public or state servant within their agency and/or sector. Some agencies provided examples of the steps they take, such as searching patient records to try to match dates and locations and looking through photographs based on descriptions of an individual.
- 43. MoE told us that while reviewing records for the RCOI, there were several instances when a report of possible abuse at a school was identified. Each time an instance was identified, it was escalated and, where possible, alleged perpetrators were identified. On each occasion where alleged perpetrators could be identified, it was determined that the relevant individuals were deceased.

44. Several agencies told us that the level of information available in the claims is often limited which makes it difficult to match allegations with agency records. For example, some allegations may simply reference someone of a particular profession at a specific location without any identifying features or there may only be initials of a name or a physical description of an individual.
45. MoH estimates that only around 5% of all historical claims they have assessed identify any individual. In most of those cases, there are no allegations made against the identifiable individual, rather the claim simply references a doctor or nurse when providing context about their claim.
46. Agency engagement has made it clear that there are a range of outcomes survivors may be looking for when seeking redress and that the motivation of individuals making claims may be uncertain, particularly at the early stages of the claims process. For example, MOE told us that in cases where someone is seeking individual accountability, it can support individuals to approach NZ Police and that this action is taken alongside the processes in place to confirm if an individual against whom the allegations are made is a current teacher.
47. Corrections has not reviewed historic files for claims purposes as it does not have an agency-specific claims process. However, Corrections has told us that the level of information provided in the claims it has received to date would not enable staff to be identified (further details about Corrections is set out in Appendix 2).

Unidentified individuals who are the subject of allegations of cover-ups in the final report

48. We committed to report back to you on the feasibility of identifying any current public or state servants for accountability purposes from allegations of cover-ups referenced in the final RCOI report.
49. Our view is that proactive work in this space is not feasible. However, when agencies are provided with some identifying information in a claim or complaint, steps will be taken to consider any specific allegations through the processes set out above.
50. Agencies explored with us the possibility of proactive work to search historical records for instances of cover-ups. They concluded that without any search parameters this would entail a manual search through every record on file (paper and digital) for the RCOI period from 1950 to 1999. Agencies explained that they do not have centralised databases or filing systems for all historic records, rather they would need to search historical personnel files, client records, and correspondence.
51. Agencies noted that there are varying levels of record availability, and they have a low level of confidence that records would have sufficient information to identify instances of cover-ups. They also advised proactive work of this nature would be complex, extremely resource intensive, and take a significant amount of time.
52. However, all agencies assured us that should they now receive an allegation of a cover-up relating to the RCOI period they would consider it appropriately, including reviewing any available relevant records and trying to identify any current public or state servants referenced. We note that an allegation of a cover-up may not be able to be investigated in every case as it depends on the level of information provided.
53. Some agencies were able to provide examples of how they can, or have, considered allegations of cover-ups when some identifying information is available. Those processes


include steps such as checking if a person continues to have contact with children and making any necessary referrals.

54. For example, the Teaching Council of Aotearoa New Zealand (the Teaching Council) can look into complaints relating to specific teacher conduct, including the possibility of cover-ups as a potential breach of the Code of Professional Responsibility and Standards for the Teaching Profession.
55. The Teaching Council has done this previously. In 2022, it suspended the practising certificate and imposed other conditions when the Gloriavale school principal endorsed a teacher as fit to teach when aware the teacher had sexually abused a student.

Next steps

56. As well as ensuring personal accountability for historical misconduct where possible, it is important to acknowledge and address the systemic factors that enabled this behaviour to occur and go unaddressed for so long.
57. Since our last briefing, the CEs Group, which is accountable to Ministers, has been established to enable a timely response to the RCOI recommendations and to ensure both individual agency accountability and a joined-up system response. The CEs Group is chaired by Statutory Deputy Public Service Commissioner Rebecca Kitteridge.
58. As Chair of the CEs Group, Ms Kitteridge will set expectations with chief executives regarding an ongoing commitment to ensuring allegations relating to the RCOI period are explored appropriately when raised, including considering individual accountability where relevant. Ms Kitteridge will also engage directly with the chief executive of the CRO to ensure processes are in place for the CRO to direct survivors to the appropriate agency if they come forward to the CRO seeking individual accountability in relation to a current public servant.

9(2)(f)(iv) confidentiality of advice



60. Upholding the accountability of the Public Service is a key focus in PSC's forward-looking integrity work programme, as well as promoting the expected standards and behaviours of integrity and conduct and strengthening transparency. This includes:
 - Reinforcing the expected standards of behaviour and conduct through the Code of Conduct,
 - Reviewing and improving agency complaints management and 'Speak Up' processes, including increasing transparency of these processes for complainants,
 - Exploring whether changes are needed to the *Workforce Assurance Model Standards* which help ensure the suitability of the people public service agencies engage and that the workforce continues to meet high standards for integrity and honesty,

- Strengthening agency integrity leadership and sharing improvement opportunities through system networks, including the Public Service Leadership Team, Integrity Champions,⁵ and the CEs group,
- Using the Public Service Census | Te Taunaki to monitor and measure different aspects of public service integrity,
- Exploring whether and how integrity expectations may be further embedded into Chief Executive performance expectations and Leadership Success Profiles, and
- Exploring options with you to amend the Public Service Act 2020 to drive public servant performance and accountability.

61. We can discuss our forward-looking integrity programme in more detail with you in early 2025.

⁵ The Integrity Champion network is made up of 63 (mainly) Tier 2 leaders who work closely with the Commission and their agency leadership teams to share good practice and provide advice on integrity and conduct matters.

Appendix 1: Individuals named in recent media commentary

1. BR2024-0246 advised there had been recent media reporting about 9(2)(a) privacy current public servants who have been the subject of adverse commentary in earlier RCOI reports. 9(2)(a)

9(2)(a) privacy

9(2)(h) legal privilege

3. It is relevant to note that the chief executives of departments and crown entities are the employers of staff working in their agency. They must act independently in relation to individual employees and are not responsible to the appropriate Minister for any employment decisions.

9(2)(a) privacy

Appendix 2: Report back on specific areas set out in BR2024-0246

Explore with MSD whether their safety check process could help us identify any other current public or state servants who may be the subject of allegations of abuse or neglect

1. MSD conducts a 'safety check' when an allegation of sexual abuse or moderate to serious physical abuse is made against a named individual at any stage during a historical claim process. The focus and purpose of this process is to ensure the safety of children or vulnerable people in care.
2. When allegations are made against named individuals, MSD will do the following:
 - a. check the named individuals are not MSD employees.
 - b. check the list of registered teachers and list of registered social workers. If it is confirmed that the allegation is against a person who is still registered and working as a teacher or social worker, MSD then informs the appropriate agencies so steps can be taken to investigate any potential safety concerns.
 - c. where there is sufficient detail to identify or potentially identify a named staff member or caregiver working at an NGO, MSD will contact the named organisation for them to check if the person is still employed and to work through any safety concerns.
 - d. MSD also shares details of allegations with OT so that they can check their systems. MSD shares sufficient information so they can check the names of any staff or caregivers and establish if they currently work with children. MSD also shares allegations with OT where the identity of the alleged perpetrator is not clear so they can undertake further research to see if they can identify who the alleged perpetrator is and check if they are a current employee or caregiver.

Obtain assurance from Health New Zealand about how complaints of historical abuse made post 1993 are being handled.

3. Health New Zealand (HNZ) has provided assurance that if a claim, either contemporary or historical, involving a current staff member was submitted now, that there are clear complaints processes that would be followed.
4. All districts have a local complaints function, and an escalation pathway to national office for serious concerns. There are options for HNZ to refer to the Health and Disability Commissioner, the relevant professional regulator (e.g. the Medical Council) and/or NZ Police. If serious allegations are raised against an employee, HNZ may appoint an independent investigator in addition to any notification to NZ Police.
5. HNZ does not have a specific historical abuse claims function as pre-1993 claims fall within remit of the MOH Historical Abuse Unit. However, there has been a small number of abuse claims received directly by HNZ. In those cases, HNZ has engaged with the MOH Historical Abuse Unit, and, where appropriate, followed similar processes to those used by MOH to settle historical claims.
6. In all of the cases received by HNZ, claims were for redress and did not include complaints against specific HNZ staff members. In those cases, clinical records of the individual are used to identify who was involved in the individual's care where possible.

Follow up with the Corrections Inspectorate to determine whether any survivors came forward to them with concerns about their treatment in a youth penal institution in the RCOI period, and what has been done about them.

7. The Office of the Inspectorate sits within Corrections but is operationally independent. Any historical claims received directly by the Inspectorate are triaged and provided to Corrections.
8. As advised by Corrections, following its establishment in 1995, Corrections was given administrative responsibility for youth penal institutions that operated under the former Department of Justice. However, the restructuring legislation did not provide for which of three newly established agencies would be responsible for historical claims.
9. In August 2024, the Minister of Corrections agreed that Corrections would accept agency responsibility for the purpose of responding to historical claims of abuse at youth penal institutions and noted Corrections' intention to refer existing and future claimants to the new independent crown redress scheme, subject to its establishment. Corrections will work with the CRO as the new crown redress scheme is developed to ensure that claims received by Corrections are appropriately referred, subject to Ministers' decisions. Claimants retain their right to proceed with civil litigation, in which case Corrections would be the responsible crown agency to respond to litigation.
10. As at October 2024, 16 claims have been received by Corrections (including any received through the Inspectorate) that relate at least in part to historical matters in youth penal institutions. Corrections has written to the 16 claimants noting that the Department does not have an agency specific process for responding to claims of this nature, and that they consider that the new independent redress system, once established, will be best placed to assess their claim. Corrections will update claimants as the development of the new redress system progresses and have invited claimants to contact Corrections in the interim with any queries. Claimants have also been advised of the Survivor Experiences Service to assist with accessing supports. Future claimants will also be provided with this advice.
11. Some claimants made allegations against specific individuals, but Corrections has advised that the level of information provided in the claims to date would not enable historical staff to be identified.
12. While the time passed means it is highly unlikely a current staff member would be named in a historical claim, Corrections have provided an assurance that appropriate steps would be taken if a new claim identified a current staff member. The appropriate pathway would be context specific and follow relevant employment processes. Possible actions may include information being provided to the Corrections' Integrity team or referral to NZ Police as appropriate.

Explore with OT and MOE whether professional registration bodies may be able to help us identify any other current public or state servants who fit in this category.

13. We have spoken to the Ministry of Education and the Teaching Council to ascertain the processes in place to ensure allegations of historical abuse against current teachers are identified and addressed.
14. Since 1989, state schools have been governed by independent Boards with statutory responsibility for the employment and management of school staff (including teachers). For these reasons post-1989 complaints are referred to individual Boards for resolution.

However, the Teaching Council has the mandate to investigate concerns relating to registered teachers and holders of Limited Authority to Teach (LATs).

15. When MOE receives a historical claim, it will undertake a process to determine if the alleged perpetrator is employed at a school or is a current registered teacher to see if a referral needs to be made to another agency such as the Teaching Council or NZ Police for further investigation. A school's board will also be advised if serious allegations are made against someone still working at a school. Claimants are consulted before any referral, and where a claim has been filed with the courts, a court order may need to be obtained in cases where the claimant does not consent to their concerns being shared, due to the 2018 court decision referred to in the body of this briefing.
16. Another mechanism to ensure individual accountability for teachers is mandatory reporting requirements in place under the Education and Training Act 2020. A Board must immediately report to the Teaching Council if it has reason to believe a teacher has engaged in serious misconduct. There are also mandatory requirements to report when complaints are received about former employees, resignations, and dismissals and reporting of convictions. Further, a teacher with a current practising certificate or limited authority to teach is required to report if they have been convicted of an offence punishable by more than three months imprisonment.
17. The Teaching Council's jurisdiction includes historical abuse allegations and former teachers provided the individual was a teacher at the time of the allegation. A proposal that prevents teachers from voluntarily deregistering when a complaint has been made but before an investigation has commenced is being considered for inclusion in the Education and Training Bill No 2.
18. Outcomes of disciplinary processes can range from taking no further action, through to censure, conditions on teaching certificate or authorities deregistration, suspension or cancellation of registration, practising certificates or Limited Authorities to Teach (LATs).
19. As the Teaching Council's jurisdiction and mandatory reporting requirements are set out in legislation our view is there are appropriate pathways already in place to ensure personal accountability for teachers when allegations of abuse or neglect are raised.
20. We understand other professions, including social workers and medical professionals, have similar mandatory reporting requirements for serious misconduct.

Role of Te Kāhui Kāhu – social services accreditation

21. Separately to mechanisms such as the Teaching Council, that can consider specific matters against individuals, there are also accreditation services that provide assurance that organisations as a whole are delivering services safely.
22. One such service is Te Kāhui Kāhu, a hosted business unit within MSD. Te Kāhui Kāhu provides accreditation to social services providers contracted by public service agencies.⁶ While not a professional registration body Te Kāhui Kāhu plays a role in providing assurance that social service providers can deliver quality services to New Zealanders. The accreditation process includes looking at providers who have contact with vulnerable clients to ensure they are safe and protected from harm and abuse.

⁶ Te Kāhui Kāhu currently works for 6 public service agencies in the social services sector: Oranga Tamariki, Ministry of Social Development, Department of Corrections, Ministry for Pacific Peoples, Ministry of Justice, Ministry of Housing and Urban Development

23. Organisations providing social services are assessed against the social sector accreditation standards. There are four levels of requirement depending on risk. Providers working with children in residential care are assessed against the highest risk level (level 1).
24. Standards that providers are assessed against at level 1 include:
 - a. having a child protection policy and process for dealing with allegations of abuse
 - b. safety checking of all “children’s workers” as defined in the Children’s Act
 - c. caregiver/care staff assessment checks, through Oranga Tamariki
 - d. NZ Police vets for volunteers who work with children and vulnerable people
 - e. Ministry of Justice criminal conviction checks for governance/board members.
25. Complaints can be received about accredited organisations, including from members of the public. Te Kāhui Kāhu will look into any matters that indicate an accredited organisation is not meeting the accreditation standards.
26. Complaints about specific incidents or individuals will be referred to the relevant agency for appropriate follow up action. If the issue involves a child, OT will be contacted. If a child is in imminent danger, NZ Police is contacted.

Appendix 3: 9(2)(a) privacy individuals identified by name


Public servants during RCOI period

As set out in paragraph [34] it appears three of the 9(2)(a) privacy individuals identified in BR2024-0246 were public servants during the RCOI period.

Person 1 One is now deceased.

Persons 2/3 There were no allegations of wrongdoing against the remaining two individuals in the final RCOI report.


9(2)(a) privacy



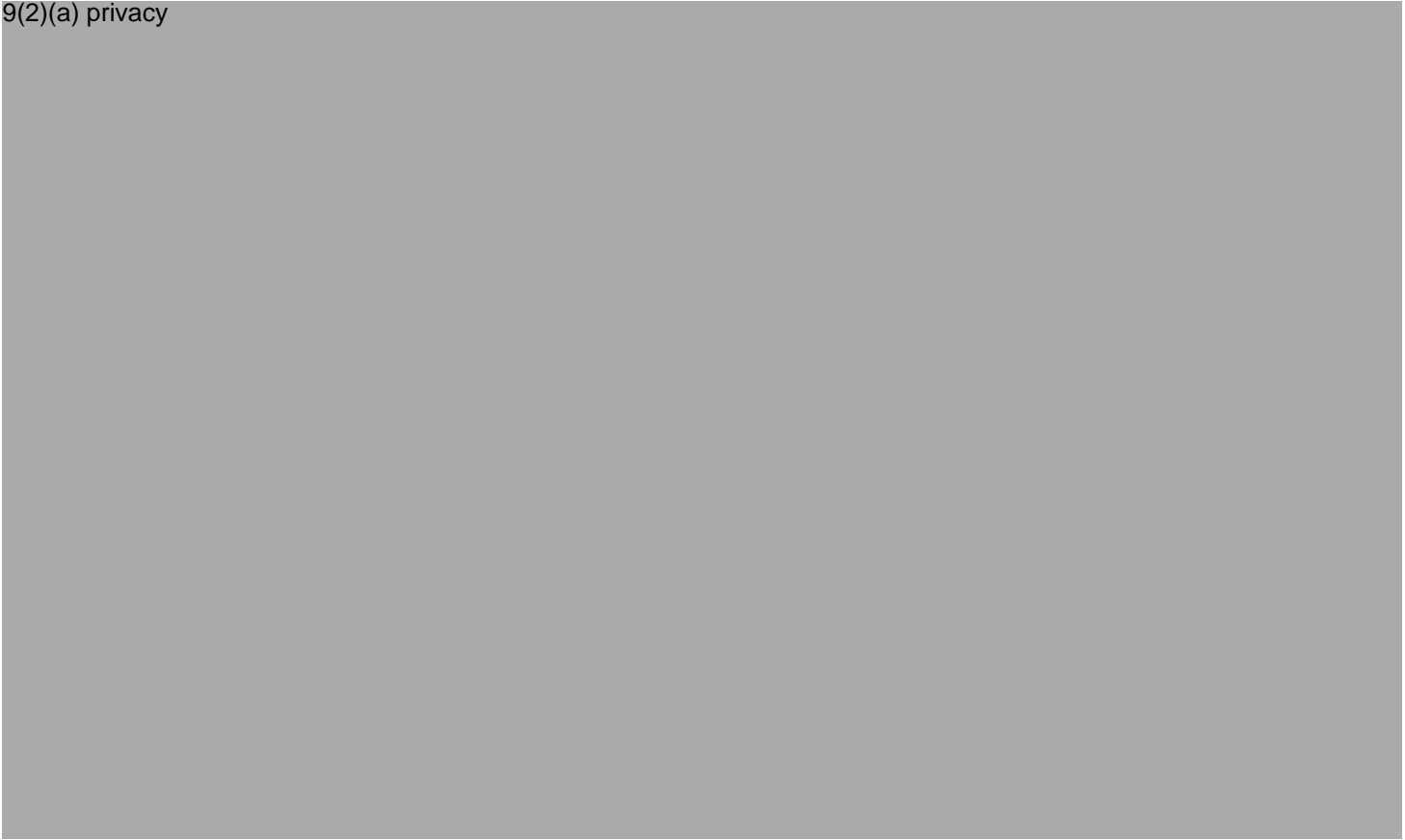
Non-public servants

We have determined the other 9(2)(a) names identified were not public or state servants during the RCOI period.

9(2)(a) privacy



9(2)(a) privacy



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