



Vacancy: Secretary for Children and Chief Executive, Oranga Tamariki

Date: 4 August 2021

Security Level: IN CONFIDENCE

Report No: 2021/0211

Contact: Erik Koed, Acting Deputy Commissioner, System and Agency Performance

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	Actions Sought	Due Date
Hon Chris Hipkins, Minister for the Public Service	Sign and lodge the attached paper for consideration by the Cabinet Appointments and Honours Committee on 11 August 2021	5 August 2021

Enclosure: Yes attached

Minister's Office Comments

Comments:

Date returned to Te Kawa Mataaho:

Executive Summary

- 1 Please find attached, for your consideration and signature, a paper for the Cabinet Appointments and Honours Committee meeting on 11 August 2021, relating to the impending vacancy in the role of Secretary for Children and Chief Executive, Oranga Tamariki.
- 2 The Responsible Minister has been consulted and provided feedback on the priorities and leadership requirements for the role.
- 3 Once Cabinet has confirmed the position description as the basis for selection to the role, the Public Service Commissioner will commence recruitment processes for the role.
- 4 The Public Service Commissioner will keep you and the Responsible Minister updated throughout the recruitment process.

Recommended Action

We recommend that you:

- a **sign and lodge** the attached Cabinet Appointments and Honours Committee (APH) paper regarding the vacancy in the role of Secretary for Children and Chief Executive, Oranga Tamariki.

Lodged/not lodged.

Hon Chris Hipkins
Minister for the Public Service

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Office of the Minister for the Public Service

Chair
Cabinet Appointments and Honours Committee

Vacancy: Secretary for Children and Chief Executive, Oranga Tamariki

Proposal

- 1 The Public Service Commissioner (the Commissioner) has forwarded to me, as Minister for the Public Service, the draft position description for the vacancy in the position of Secretary for Children and Chief Executive, Oranga Tamariki.
- 2 The vacancy was created when Ms Gráinne Moss left the role on 1 April 2021. Since this time Sir Harawira Gardiner KNZM has filled the role on an acting basis.
- 3 The Responsible Minister, Hon Kelvin Davis and I have advised the Commissioner on matters to be taken into account in making an appointment.
- 4 I now submit the draft position description to the Cabinet Appointments and Honours Committee for its consideration. The desirable requirements for the appointee are outlined in the Leadership Roadmap in Annex 1 to this paper and in the position description.

Context: Strengthening Oranga Tamariki

- 5 Oranga Tamariki has faced intense public scrutiny and criticism of its policies and practices. Recently the Minister for Children has set out his direction for Oranga Tamariki, which is informed by the findings of the Ministerial Advisory Board report, feedback from those people the Board engaged with and the recommendations from the Waitangi Tribunal report and previous reviews and inquiries [SWC-21-SUB-0117 refers].
- 6 To strengthen the performance of Oranga Tamariki such that it will deliver this new direction, the Commissioner has outlined a six-point plan. A key plank of this plan is the implementation of the actions Oranga Tamariki has committed to. It puts a focus on ensuring that future governance arrangements are effective; appointing a high calibre leadership team including filling the current substantive Secretary vacancy; progressing a fit-for-purpose structural transformation; and supporting the incoming Secretary and organisation to be successful. See Annex 2 for a high-level overview.
- 7 This approach is similar to the one that has been used to reposition Te Puni Kokiri in early 2019.
- 8 The Secretary for Children role is one of the most demanding in the Public Service, ideally necessitating a high level of competency across multiple criteria. These criteria, which have been discussed with the Minister for Children, are highlighted in Annex 1 – Leadership Roadmap. It is unlikely that a suitable appointee will be found with the required levels of skill across all dimensions.
- 9 In these circumstances, it is the Commissioner's intention to designate a limited number of tier two positions in the proposed new structure for Oranga Tamariki as "change critical roles". Appointments to these roles will be made jointly by the Commissioner and the

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Acting Secretary, so that across the leadership team (including the Secretary) the complete set of skills and experience is in place that is necessary to lead the rebuilding of the trust and confidence in Oranga Tamariki that New Zealanders must have.

- 10 I understand that the first phase – tier two leadership roles – of the proposed organisation restructure will be stood up towards the end of this year. The Commissioner considers it likely that the change critical roles will be those that relate to service delivery, social work practice, issues and risk management and community and Māori engagement and partnerships. Specific roles he will co-appoint will be determined when the new Secretary is known.
- 11 The Commissioner has informed me that all aspects of the plan will be advanced in the coming months. An immediate action is to commence the appointment process for the substantive Secretary for Children and Chief Executive Oranga Tamariki.

Recommendations

- 12 The Minister recommends that the Cabinet Appointments and Honours Committee:
 - 12.1 **note** the impending vacancy in the position of Secretary for Children and Chief Executive, Oranga Tamariki;
 - 12.2 **confirm** the attached position description as a basis for selecting a suitable candidate for appointment; and
 - 12.3 **note** the Public Service Commissioner's plan to strengthen Oranga Tamariki.

Hon Chris Hipkins
Minister for the Public Service

Date:

Annex 1:

Te Tumu Whakarae mō te Tamariki – Secretary for Children Leadership Roadmap

Priority one	Priority two		Priority three	Priority four
Māori / Crown Interface	Organisational Leadership	System Leadership	Context Management	Sector experience
Working at the Māori / Crown interface	Leading end to end organisational transformation Lifting the quality and consistency of social work practice	Leading the prevention, care and protection system that OT is part of	Working effectively with Ministers in complex situations	Experience or expertise in social work, social services
Leading partnerships with Māori that include new decision-making and care models	Setting a fit-for-purpose organisational culture	Implementing appropriate policies and practices for the prevention, care and protection of tamariki and rangatahi	Managing Oranga Tamariki's stakeholders to build ownership and support for its direction	Experience of operating in the Public Service or broader Public Sector
Credibility with a broad range of Māori / iwi leaders	Leading a national organisation with regional delivery	Developing solutions with regions, communities, whanau and iwi for delivery	Identifying and managing risks and issues	Empathy for the experience and relationships tamariki and rangatahi have with OT
Te ao Māori knowledge and capability	Improving Oranga Tamariki's capability and performance		Managing communication through media	

Annex 2: Strengthening Oranga Tamariki Roadmap





Te Kawa Mataaho
Public Service Commission

The New Zealand Public Service

Mahi tōpū ai te Ratonga Tūmatanui e whai tikanga ai te noho a ngā tāngata o Aotearoa. Hei tā te Public Service Act ko te whāinga o te Ratonga Tūmatanui, he tautoko i te kāwanatanga e whai ture ana, e whai ana hoki i te manaporitanga; he tuku kia whakawhanake, kia whakatinana hoki te Kāwanatanga o te wā me ō muri atu i ā rātou kaupapa here, he tuku i ngā ratonga tūmatanui e kairangi ana, e nahanaha ana hoki, he tautoko i te Kāwanatanga ki te whai i ngā painga mō te iwi kei te pae tawhiti, he huawaere i te āta whai wāhitanga o te kirirarau, he whakatutuki hoki i ngā mahi i runga i tā te ture i whakahau ai. E hirahira ana te wāhi ki a mātou i te tautokohanga o te Karauna i ana hononga ki ngā iwi Māori i raro i te Tiriti o Waitangi. Ahakoa he nui ngā momo tūranga mahi, e tapatahi ana ngā kaimahi tūmatanui i roto i te whakaaro nui ki te hāpai i ngā hapori, ka mutu, e arahina ana ā mātou mahi e ngā mātāpono matua me ngā uara o te Ratonga Tūmatanui.

The Public Service works collectively to make a meaningful difference for New Zealanders.

The Public Service Act states that the purpose of the Public Service is to support constitutional and democratic government, enable both the current Government and successive governments to develop and implement their policies, deliver high-quality and efficient public services, support the Government to pursue the long-term public interest, facilitate active citizenship and act in accordance with the law. We have an important role in supporting the Crown in its relationships with Māori under the Treaty of Waitangi and te Tiriti o Waitangi. Whilst there are many diverse roles, all public servants are unified by a spirit of service to the community and guided by the core principles and values of the Public Service in our work.

He Whakamārama mō te Tūranga

Position Description



Te Kawa Mataaho
Public Service Commission



Te Tūranga Position	Te Tumu Whakarae mō te Tamariki Secretary for Children and Chief Executive
Te pokapū Agency	Oranga Tamariki Ministry for Children
This position is a member of the Public Service Leadership Team	

Te whāinga o te tūranga | Position purpose

Oranga Tamariki—Ministry for Children and its partners support children and young people in New Zealand who are at risk of harm now, or in the future, as a result of their family environment or their own complex needs; and young people who have offended or may offend in the future. Oranga Tamariki has a role to play in ensuring that children and young people are in safe and loving homes and that tamariki and rangatahi Māori are thriving under the protection of whānau, hapū and iwi.

Oranga Tamariki was established in 2017 to transform outcomes for at-risk tamariki and rangatahi. It has faced considerable public scrutiny and been the subject of reviews critical of its approach and performance. In early 2021, a Ministerial Advisory Board was established to provide assurance and recommendations to lift performance.

The Secretary for Children and Chief Executive (Secretary for Children) is responsible for providing strategic and operational leadership to Oranga Tamariki to implement a new direction not only responding to concerns that have been raised but achieving a transformation that results in a rebuilding of the trust and confidence of the public in Oranga Tamariki and New Zealand's prevention, care and protection and youth justice system.

The imperative for the Secretary for Children is that transformation is accelerated; that appropriate policies and practices for tamariki and rangatahi in need of care and protection or in the youth justice system are in place; the organisation has a fit-for-purpose culture; and that decision-making and solutions for delivery are developed with regions, communities, whānau and iwi.

Te momo kaiaarataki e whāia ana | Leader profile

Oranga Tamariki is working to transform the care and protection system to enable improved outcomes for tamariki, rangatahi, and whānau. The Secretary for Children is expected to lead across the five key dimensions set out in the Leadership Roadmap overleaf:

Leadership Roadmap				
Priority 1	Priority 2		Priority 3	Priority 4
Māori / Crown Interface	Organisational Leadership	System Leadership	Context Management	Sector Experience
Working at the Māori/Crown interface	Leading end to end organisational transformation Lifting the quality and consistency of social work practice	Leading the prevention, care and protection system that Oranga Tamariki is part of	Working effectively with Ministers in complex situations	Experience or expertise in social work, social services
Leading partnerships with Māori that include new decision-making and care models	Setting a fit-for-purpose organisational culture	Implementing appropriate policies and practices for the prevention, care and protection of tamariki and rangatahi	Managing Oranga Tamariki's stakeholders to build ownership and support for its direction	Experience of operating in the Public Service or broader Public Sector
Credibility with a broad range of Māori / iwi leaders	Leading a national organisation with regional delivery	Developing solutions with regions, communities, whanau and iwi for delivery	Identifying and managing risks and issues	Empathy for the experience and relationships tamariki and rangatahi have with Oranga Tamariki
Te ao Māori knowledge and capability	Improving Oranga Tamariki's capability and performance		Managing communication through media	

The Secretary for Children is also expected to adhere to the Standards of Integrity and Conduct with the higher bar expected of chief executives. As set out in the Public Service Act 2020, chief executives are required to proactively promote the stewardship of the public service; lead, collaborate and exert their influence across boundaries; and ensure their staff have both the authority and motivation to do likewise.

Ngā haepapa | Accountabilities

Te pokapū | Agency

The Secretary for Children is responsible directly to the Minister for Children. Oranga Tamariki has key areas of work they are responsible for:

- Intake, assessment and referral; Early support; Intensive response – Oranga Tamariki have a range of levers to provide support to tamariki and whānau showing early signs of need and to enable children to remain safely at home.
- Care – As defined in the Oranga Tamariki Act when a child is “in need of care and protection” then they are placed in the care or custody of the Oranga Tamariki Chief Executive. This is a statutory involvement function. Care must meet the new National Care Standards so that they are safe and their well-being is promoted.
- Youth Justice – Oranga Tamariki is one of four government departments that administer the youth justice system alongside the Ministry of Justice, New Zealand Police and Department of Corrections. This is a statutory involvement function.
- Transition support – Oranga Tamariki newly established this service to prepare and support rangatahi exiting State care to transition successfully to adulthood.

Oranga Tamariki has specific duties to provide a practical commitment to the principles of the Treaty of Waitangi under section 7AA of the Oranga Tamariki Act. These explicit duties

on the Chief Executive are to enable improved outcomes for tamariki Māori, ensuring that they are connected to and nurtured by their whānau, hapū and iwi.

Te pūnaha System	<p>The Secretary for Children must perform the duties as set out in the Public Service Act 2020, the Public Finance Act 1989 and other relevant statutes and legislation.</p> <p>As a member of the Public Service Leadership Team, the Secretary for Children is responsible for providing strategic leadership that contributes to an effective and cohesive public service; working together to model leadership behaviours; and assisting the other members to fulfil their responsibilities.</p> <p>As a Public Service leader, the Secretary for Children is expected to support the Crown in its relationships with Māori under the Treaty of Waitangi; promote diversity and inclusiveness; and preserve, protect and nurture the spirit of service to the community</p>
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Ngā hononga matua | Key relationships

Te Kāwanatanga Government	<ul style="list-style-type: none"> • The Minister for Children • The Associate Minister for Children • Ministerial Advisory Board
Te ratonga tūmatanui Public Service	<ul style="list-style-type: none"> • Oranga Tamariki works closely with many agencies in pursuing its priority outcomes including: Ministry of Social Development, Ministry of Justice, New Zealand Police, Department of Corrections, Ministry of Education, Ministry of Health, Ministry of Housing and Urban Development, Department of Prime Minister and Cabinet, Te Arawhiti: Office for Māori Crown Relations, Te Puni Kōkiri, Whānau Ora Commissioning Agencies • Social Wellbeing Board, Family Violence Sexual Violence Joint Venture, Justice Sector Leadership Board • Social Workers Registration Board • Child and Youth Wellbeing Strategy working groups • Members of the Public Service Leadership Team
Ngā iwi me ngā hapori whānui Iwi and wider communities	<ul style="list-style-type: none"> • Māori and iwi, including those in strategic partnerships • Pacific peoples • Non-governmental organisations and social service providers • Social services peak bodies • VOYCE – Whakarongo Mai
Te ao whānui International	<ul style="list-style-type: none"> • In international adoption operations Oranga Tamariki has responsibilities to support, assess and provide advice on adoption arrangements
E ai ki te ture Statutory	<p>External monitoring of Oranga Tamariki includes:</p> <ul style="list-style-type: none"> • The Children’s Commissioner is a Crown Entity with responsibilities to advocate for children and monitor Oranga Tamariki policies, practices and services • The Office of the Ombudsman is an Officer of Parliament with powers and responsibilities to investigate complaints, it has established a specific complaints oversight function to deal with complaints about Oranga Tamariki

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- The Independent Children’s Monitor was established to monitor compliance with the regulations (the National Care Standards) which outline the standard of care children and young people in State care must receive

Agency related facts (2020) and links

The Secretary for Children will be responsible for a forecasted operating expenditure of \$1.316 billion in 2020/21 to deliver child-centred services that meet the new legislative requirements.

The department employs approximately 5,000 people (with the majority of staff carrying out service delivery) who work in around 50 sites, care and protection residences, youth justice residences, and a range of community-based homes.

There are approximately 5,600 tamariki and rangatahi in State care and 110 in Youth Justice custody.

Up to date information on the Oranga Tamariki outcomes, operating framework, organisational structure, dimensions and appropriations can be found on the [website](#).

Other useful information is also available at the following links:

- Oranga Tamariki [Briefing to the Incoming Minister for Children](#)
- Section 7AA Report [Improving outcomes for tamariki Māori, their whānau, hapū and iwi](#)
- Oranga Tamariki 2019/20 [Annual Report](#)
- Implementation of the Oranga Tamariki operating model [Cabinet papers](#)