

Full practice review of social work practice after notification of investigation

Legislation	Ombudsmen Act 1975
Agency	Oranga Tamariki
Ombudsman	Peter Boshier
Case number(s)	519817
Date	May 2020

Complaint about the apparent failure by Oranga Tamariki to protect a vulnerable child — Oranga Tamariki reviewed the complaint after notification of investigation and began a full case review — Chief Ombudsman considered this a satisfactory resolution

Background

A complaint was lodged with the Chief Ombudsman from a couple about a child, who was in the custody of Oranga Tamariki and living with their birth mother. The couple had made several complaints to Oranga Tamariki expressing concern for the child's safety.

The complaint was centred on the belief that Oranga Tamariki had failed to act to protect the child in a number of ways:

- Inadequate response to Reports of Concern and ongoing neglect;
- Inadequate investigation of an alleged neglect event and resulting hospitalisation, and misrepresenting this to Police;
- Inadequate response to concerns that a childcare centre the child attended had not been properly vetted;
- Not providing all relevant information to the Court;
- Reducing the complainants' contact with the child;
- Failing to respond to the Social Workers Registration Board; and
- Failing to respond to their complaints about these issues.

The complainants believed that Oranga Tamariki had not kept them updated, including when events occurred. They believed that Oranga Tamariki had failed to undertake thorough and unbiased investigations, and to liaise and share information with other agencies such as the Police. They said the social workers did not provide all relevant information to the Court and did not include alleged neglect events or hospital records, and that this unfairly impacted on the outcomes for the child.

Oranga Tamariki had also applied for additional guardianship, and when this was granted it significantly reduced contact with the couple.

The complainants considered that there was insufficient communication when their complaints were raised with the Chief Executive's Advisory Panel. In addition, when they complained to the Social Worker's Registration Board, Oranga Tamariki did not respond to the Board's inquiries, which meant that the complaint could not be progressed.

Outcome

The Ombudsman notified Oranga Tamariki that he would be investigating all aspects of this complaint.

Upon receiving this notification, Oranga Tamariki acknowledged that although a number of people had looked into the individual issues over a period of time, the decision-making focus was on isolated events and issues. Oranga Tamariki made the decision to complete a full practice review to look at the case as a whole, ensuring a focus on the child's wellbeing, and looking at whether the decisions made had been well supported by the evidence available.

Given the broad scope of the proposed practice review, and the ability by Oranga Tamariki to resolve the issue by looking at whether the practice had been correct and in the child's best interests, the Ombudsman decided to discontinue his investigation.

When the Ombudsman makes a decision like this, he will generally follow up on the outcome of the resolution that the agency has proposed. In this case, the Ombudsman asked that Oranga Tamariki provide him with a copy of the review when it was completed so that discussion could be had with the complainants about whether they had any remaining concerns.

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