

Chief Social Worker practice note

Upholding the mana and rights of caregivers (May 2025)

Practice notes are not intended to replace our practice policy and guidance, standards and tools. They provide us with a prompt around specific areas of practice as they relate to current practice trends and findings.

Poipoia te kakano kia puawai

Nurture the seed and it will blossom

Summary

Caregivers and their families open their hearts and their homes to care for children when they need it. We know from caregivers that their role can be both extremely rewarding and incredibly challenging. It's important that we work collaboratively in partnership with family, whānau, hapū, iwi and caregivers to ensure that tamariki and rangatahi receive the responsive, quality care they are entitled to.

This practice note helps us focus on two areas of our practice that we can strengthen to better uphold the mana and rights of caregivers:

- Understanding guardianship rights and decisions caregivers can and cannot make.
- Supporting caregivers through support plans.

Caregivers have told us what is important to them

"Firstly, being able to give a child or children a home, safe environment is most important to me. I feel very heard and Oranga Tamariki supported a lot which is a huge help and [I] think being a caregiver for Oranga Tamariki is a privilege."

Our recent caregiver survey found most caregivers felt well respected by their caregiver social worker (88%) and the social worker for te tamaiti or rangatahi (77%). However, only 55% of caregivers said they felt valued by Oranga Tamariki. Caregivers told us it can be hard to access what children need and sometimes they feel that 'red tape' can get in the way.

Caregivers know the children they are caring for well and want to be involved in decisions about them. Doing so not only helps us do what's right for children, but shows our caregivers that we value and respect them.

Our practice framework guides our practice



Ngākau whakairo

The rights, values and professional obligations that sit at the heart of our work, ngākau whakairo, draws our attention to protecting the rights of tamariki, rangatahi, parents, guardians and caregivers we are working with. Because these rights and obligations can sometimes be at odds with each other, consultation is essential in supporting decision-making.

Tamariki and rangatahi have a right to be cared for by caregivers who are willing and able to provide a safe, stable and loving home, and are well supported to meet their needs and promote their oranga.

Our caregivers have a right to be well informed and well supported as we work together to meet the needs of te tamaiti or rangatahi. We maintain regular contact with them to ensure they have the information and support they need.

Caregivers also have a right to be consulted. Their mātauranga is vital to building and deepening our understanding of the oranga of te tamaiti or rangatahi and what's important for them.

Caregivers have a right to information that enables them and their household to understand the role of a caregiver and what will be expected of them. We first talk with caregivers about this during the assessment and approval process – it's part of the information they are entitled to understand before committing to becoming a caregiver.

Whānau caregivers have additional rights to participate and have their views taken into account because they are members of the family, whānau, hapū, iwi or family group of te tamaiti or rangatahi.

A caregiver may also have specific rights granted to them by a court order in their favour. Other people may also have guardianship rights granted to them by a court order in their favour. In these cases, we must ensure these rights are preserved.

Remember that parents also have rights in relation to their tamariki or rangatahi and need to be consulted about key decisions, kept informed and updated, and able to exercise their natural guardianship rights, unless these have been removed.

Understanding all of these rights is an important part of supporting te tamaiti or rangatahi and working with their caregiver in open and transparent ways.



Whai mātauranga

Our practice is strengthened when we are clear about our knowledge bases. We work with and draw on a wide range of knowledge sources in our work. This means we know and understand the purpose, principles and provisions of the Oranga Tamariki Act and requirements under related legislation and regulations such as the National Care Standards and Practice Standards.

Guardianship rights and decisions caregivers can and cannot make

Regulation 44 of the National Care Standards specifically requires that we ensure caregivers understand:

- the decisions a caregiver can and cannot make, and the decisions a child or young person can and cannot make, about day-to-day care arrangements, and
- the rights of legal guardians and how these are preserved.

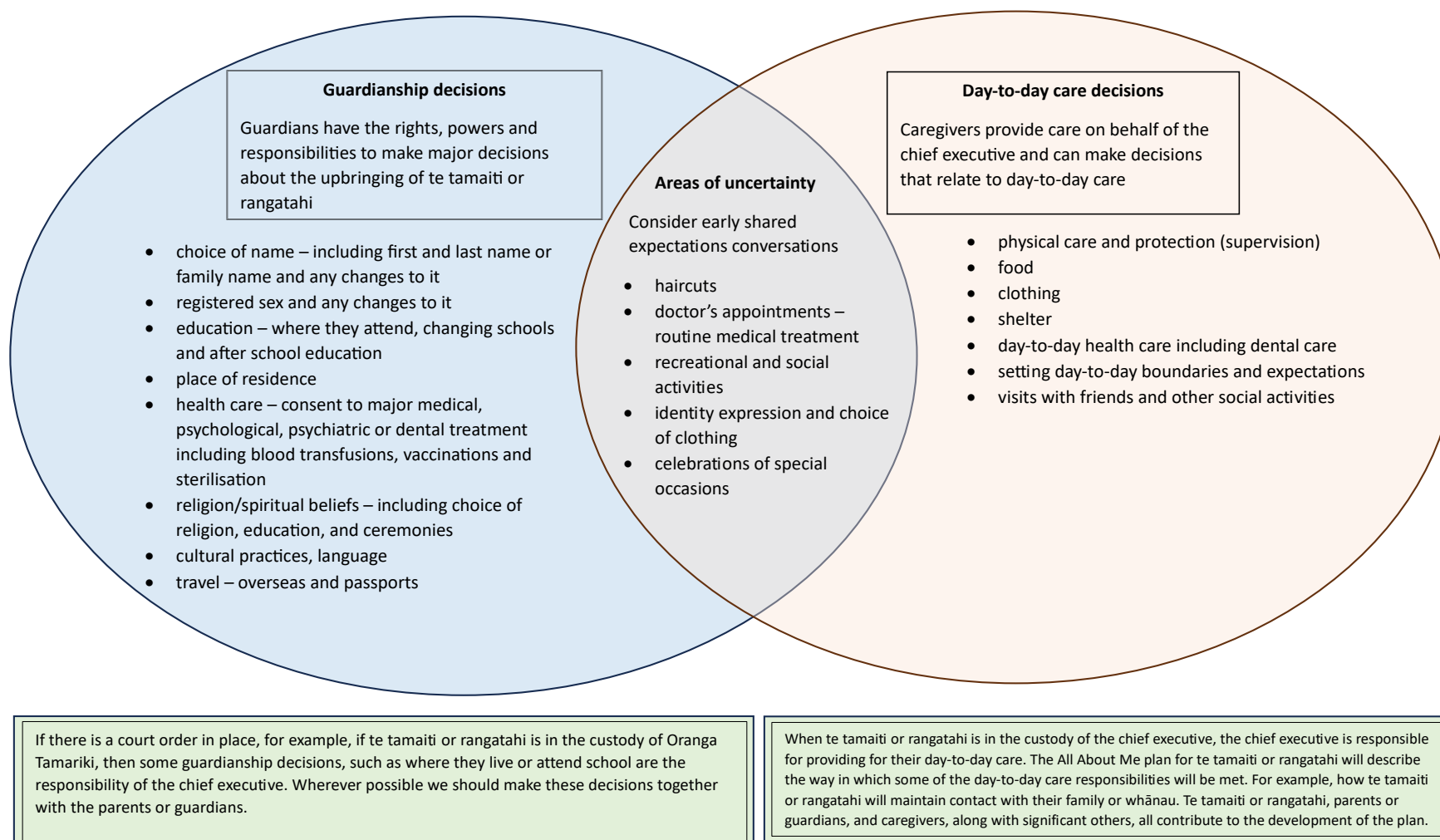
It's particularly important that we support parents, guardians and caregivers to understand the difference between guardianship rights and the decisions that a caregiver can and cannot make about day-to-day care, as we know that misunderstandings and differing views between them can impact on the oranga of tamariki and rangatahi.

[National Care Standards Regulations 24, 44, 57](#)

[Caregiver and adoptive applicant assessment and approval | Practice Centre](#)

[Types of court orders | Practice Centre](#)

The diagram below helps us to understand the relationship between guardianship decisions and day-to-day care decisions, including examples of areas that are commonly the source of misunderstanding. This may provide a useful prompt tool to support discussions with parents, guardians and caregivers.



Whai oranga



All tamariki, rangatahi and whānau or family and caregivers have the right to consistent quality practice that is oranga focused, supported by the mana-enhancing paradigm for practice and applied through practice models. As early as possible, the social worker for te tamaiti talks with parents and guardians to ensure a deep understanding of their views and wishes for the care of their tamaiti or rangatahi and how they would like to exercise their guardianship rights.

We talk with the caregivers at the earliest opportunity about how the parents and guardians would like their rights preserved while te tamaiti or rangatahi is in their day-to-day care. It is important that these decisions are recorded on the CYRAS record for te tamaiti or rangatahi and, where appropriate, in the caregiver's CGIS record.

[Practice note: Casework recording | Practice Centre](#)

Early exploration with parents or guardians of views and wishes and conveying these expectations clearly to the caregiver of their tamaiti or rangatahi both preserves the guardian's rights and empowers the caregiver to be confident about the day-to-day care decisions they can make.

Questions about haircuts, medical care and cultural considerations (such as observing kosher or halal practices when preparing food) are examples that frequently present challenges that could be managed early with relational and inclusive discussions.

It is important to understand the cultural or religious considerations the caregiver has and if these are not aligned or supported by the parents or guardians, what support is needed.

Example one:

Parents or guardians may have strong beliefs about cutting the hair of their tamaiti or rangatahi. This may be for cultural or religious reasons, or it may be a personal wish. It may apply to the first haircut, or it may apply for all haircuts. Exploring views on this, recording them and sharing them with the caregiver builds a shared understanding that upholds the mana of all parties and promotes the oranga of te tamaiti or rangatahi.

Example two:

If the caregiver attends church each week and would like te tamaiti to attend with them and their family or whānau, do the parents or guardians of te tamaiti or rangatahi agree? If not, what alternative supports are needed to provide care for te tamaiti or rangatahi to support the caregiver to attend church? And what supports might be needed for te tamaiti or rangatahi to attend the religious practice requested by their parents or guardians?

Conversations around shared expectations also offer an opportunity to create a shared understanding about what happens when things don't go according to plan or the unexpected arises – for example, if te tamaiti is unwell and contact with whānau

is planned. Understanding the views and wishes of parents or guardians in this circumstance empowers caregivers to make decisions in the interests of te tamaiti or rangatahi to manage the unexpected while guardianship rights are preserved.

During review times, and when you are updating your assessment to prepare for filing the section 128 plan and section 135 report in the Family Court, consider what some of the decisions for te tamaiti or rangatahi might be for the 6 or 12 months ahead. This is a chance to engage with parents, guardians and caregivers on some of the known decisions – for example, te tamaiti is turning 13 and we need to agree which high school they will attend. Consider using Organising my Practice to help you prepare.

[Organising my practice | Practice Centre](#)



Whai pūkenga

Our practice must be skillful, appropriate, current and continuously developing and improving. Professional practice skills and behaviours and tools are part of our professional kete; they promote intentional practice – these include relational skills, analytical skills, facilitation, advocacy, professional reasoning, theorising and communication. When tamariki and rangatahi are in care, it is important we focus on what their plans are, how their needs are met and how their caregivers are supported. Care Leadership Hui and Care Clinics can be used to help achieve this.

Support for caregivers – the caregiver support plan and the All About Me plan

Caregivers have a right to support that will promote their oranga and help them meet the needs of te tamaiti or rangatahi they're caring for.

However, our recent caregiver survey found only 52% of caregivers were satisfied with the support being provided to them. This tells us we need to be doing more to ensure caregivers are supported in the way they are entitled to be.

From the beginning of our work with caregivers, we build and deepen our understanding of what they need to support their oranga, be the best caregivers they can be, and meet the needs of te tamaiti or rangatahi they are caring for.

Every caregiver is required to have a caregiver support plan that describes their needs and the support that will be provided to meet them. The caregiver support plan is interdependent with the All About Me plan. We are required to support the assessed needs of tamariki and rangatahi in our care or custody. Both plans must be regularly reviewed and updated to reflect the changing needs of te tamaiti or rangatahi and the caregiver.

There are times when parents, guardians and caregivers may agree between them who will be responsible for decisions on a particular aspect of care – for example, who will arrange a haircut for te tamaiti or rangatahi. These agreements should be clearly recorded in CYRAS and regularly reviewed in the All About Me plan. Where appropriate, any associated tasks that caregivers need to be supported with should

be recorded in the caregiver support plan as a part of the usual ongoing assessment and review processes.

We work collaboratively between the caregiver social worker and the social worker for te tamaiti or rangatahi to build our shared understanding of the needs of te tamaiti or rangatahi and the needs of the caregiver and we make updates so that the caregiver support plan and the All About Me plan are aligned.

[National Care Standards regulations Subpart 2 – Support](#)

[Caregiver support | Practice Centre](#)

[All About Me plan | Practice Centre](#)

Our practice tools and resources support us to prepare and plan together.

[Our practice approach tools and resources | Practice Centre](#)

[Care Leadership Hui recording template | Practice Centre](#)



Whai ākona

All tamariki/mokopuna, rangatahi and whānau deserve the very best of us, in our practice relationship with them. We need to be aware that our own experiences can influence the way we think about the decision-making rights and support needs of children, their whānau and caregivers.

How we parent and care for tamariki is significantly influenced by our own culture, values, beliefs and experiences. Being aware of what would be important to you as a parent or caregiver can help you think about what might be important to those you are working with. We need to be aware that we may have knowledge gaps, in particular about specific family or whānau practices with regard to faith, culture or identity and we need to be aware if our own worldview may be influencing the way we see a situation. Use Te Toka Tūmoana and Va'aifetū to deepen your understanding when working with tamariki Māori or Pacific children. Seek advice from your colleagues and cultural advisors, as well as your supervisor. If you are in any doubt as to whether a decision could be considered a guardianship issue or not, seek advice from Legal Services at the earliest opportunity.

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