

Chief Social Worker practice note

When tamariki or rangatahi are at risk of harm (November 2023)

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.

He taonga te tamaiti me te rangatahi hoki. Ko rātou te āpōpō
A child and youth are treasures. They are the future.

Summary

All tamariki and rangatahi have the right to be in safe, loving whānau and communities where oranga can be realised. Through Learning Cycle 2 we have been deepening our understanding of how safety is enhanced when it is explored through a broader frame of oranga.

Despite efforts to ensure safety within the family, there will be times when children are not safe at home and need to live away from their parents or usual caregivers. This may require the taking of a statutory order to keep children safe. This is a legitimate form of action in the pursuit of oranga.

When working with tamariki and their whānau or family group, our practice is focussed on understanding the strengths, needs and risk from an oranga perspective. We need to work relentlessly with whānau and community to keep tamariki safe within the context of their whānau. When we are not able to ensure their safety, there is a statutory obligation for us to act.



Practice standard - Ensure safety and wellbeing

I will take action every time I am worried about harm to te tamaiti, in order to protect them from harm and the impact of this on their long term wellbeing. I know I will have achieved this standard when my assessment of risk has taken account of both the immediate needs of te tamaiti, and any risks to their long term wellbeing as a result of cumulative harm or unmet need.

[Practice standards - Ensure safety and wellbeing](#)

Our statutory duties and responsibilities for tamariki and rangatahi have not changed. Our Practice Approach helps us enact these duties and responsibilities through practice that is relational, inclusive, and restorative. The practice framework strengthens the way we work with harm and risk through the frame of oranga.



Ngākau whakairo

Ngākau whakairo is about the rights, values and professional obligations that sit at the heart of our work embedded within our practice. Our professional obligations are things we are required to do. Kaimahi hold a range of duties informed by legislation and statutory guidance, organisational expectations and accountabilities. [Ngākau whakairo - professional obligations](#)

Our legal obligations and referring to Family Group Conference

The Oranga Tamariki Act 1989 says the wellbeing and best interests of a child or young person are the first and paramount consideration. The Act tells us what we **must** do to understand and respond to the care, protection and wellbeing needs of tamariki and rangatahi we work with including offending or reoffending behaviour.

The Act sets out clearly that we **must** work with family, whānau, hapū, iwi and others to keep tamariki and rangatahi safe. This sometimes means removing a child or young person from the care of their family, whānau or usual caregiver if there is a serious risk of harm for them and we cannot ensure safety.

When a social worker has formed a belief that a child or young person needs care or protection under s14 of the Act, a referral **must** be made for a care and protection Family Group Conference (FGC). The purpose of the FGC is to consider the care, protection, and wellbeing (including oranga needs) of the child or young person and to make a plan to address the concerns.

Where there is no belief te tamaiti or te rangatahi is in need of care or protection, but the social worker believes a FGC would help with developing a plan to support the child or young person and their whānau, a referral can be made under s18AAA for a 'wellbeing' FGC.

A hui ā-whānau or family meeting is held to support and enhance the rights, participation and decision-making of tamariki and their whānau, hapū, iwi and support network as early as possible, and are often used to ensure that immediate plans are in place to keep tamariki safe, until further planning can occur.

This not a replacement process for a Family Group Conference. An FGC provides an inclusive opportunity for **all** of the information to be shared and considered, and whānau and community supports to be available. We know that in this context, whānau are best able to make protective decisions and enduring plans.

[Serious harm | Practice Centre | Oranga Tamariki](#)

Rights of tamariki

Tamariki rights, expressed in Te Tiriti o Waitangi and enshrined in international conventions, such as the United Nations Convention on the Rights of the Child, are interwoven with those of their parents and whānau.

In our practice we must strive to uphold and assert the rights of both. Tamariki have rights to belong to and be cared for by their whānau or family; at the same time, they have rights to live free from harm and abuse. These are not a competing set of rights but are important to understand and balance.

Securing safety

When there are safety concerns for pēpi, tamariki or rangatahi, the assessment must consider not only the seriousness of the situation, cumulative harm and potential for further harm but also explore options to secure safety for the tamaiti or rangatahi within their whānau or family.

If there is a risk of imminent harm to te tamaiti or te rangatahi, and we have not been able to secure safety within the whānau or family, then an emergency care arrangement may be needed.

The need to form safe, secure attachments to support their physical, psychological, cultural, and emotional oranga (wellbeing) is critical when working with pēpi, tamariki, rangatahi and their whānau or family. [When urgent action is needed to secure the safety of pēpi, tamariki and rangatahi.](#)

Safety planning

Safety planning is a critical component of our practice with whānau and families when there is a risk of harm to te tamaiti or rangatahi. It is vital that whānau are fully informed so they can participate in decisions being made about their tamaiti or rangatahi. This means we must share our assessment and be able to explain to family or whānau our perspective and rationale for the assessment outcome. Sharing information with whānau throughout our involvement is an integral part of being relational, inclusive, and restorative.

Successful safety planning should address the safety needs of te tamaiti in collaboration with whānau, family and others by building a shared understanding of the risk of harm present, exploring, and utilising the strengths the whānau have, and providing any additional support that contributes to safety. We need to approach whānau or family from a position of genuine enquiry and humility while clearly communicating the concerns identified.

Child Protection Protocol

When a report of concern of potential harm, abuse or neglect may be a criminal offence, we must work together with Police to ensure our actions do not compromise each other's purpose. The [Child Protection Protocol: Joint Operating Procedures](#) (CPP) is the process that we follow.

When we receive a report of concern for tamariki, we need to:

- ensure their immediate needs are met
- work collaboratively to keep them safe from further harm.

If you have any doubt about the right thing to do to address safety, you must consult with your Supervisor and/or seek advice from your Practice Leader.

Peter Whitcombe
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