

National Union of Public Employees

**Submission on MSD and MVCOT
Proposal for Consultation**

NOV 2016

NUPE has represented members employed by Child Youth and Family / MSD since 2000. NUPE represents members across the CYF line of MSD.

The NUPE membership is primarily frontline including registered staff, youth workers, support staff in various capacities, site managers, youth justice and care managers. NUPE has always been impressed with the level of commitment from the staff to the young people and their families they are engaged with. NUPE is also aware that the funding model for the CYF line has been capped in the past. This capping has resulted in significant gaps and frustrations for staff in attempting to provide the support required for the families engaged with CYF to achieve genuine and lasting change. NUPE does believe the capped funding model for this agency has been flawed and has resulted in shifting funds from one crisis area to the next crisis. If this new proposed structure is to work, then funding for this Ministry should not be capped but rather responsive to the needs as required. If this does not change then we will be at the same place with good response to crisis but little or no support for the ongoing assistance needed that will result in genuine support and change.

In saying the above NUPE supports the establishment of a Ministry that will focus specifically on achieving the best outcomes for tamariki and rangatahi. NUPE does believe that staff have always had the child at the centre but the flawed funding model has not supported this. A model with the child at the centre and greater engagement across multi agencies is a positive move. Members have raised genuine concerns about the failure to include family in the name of the new Ministry. Members have been very clear that in 99% of the cases the voice of the child wants their family fully involved. The separation of the adults to MSD does appear to separate the most significant unit for these young people. NUPE members are concerned that the voice of the child may not be being heard on this point.

By the feedback from members, our advocacy and input over the previous years, the current structure fails to manage and support young people safely, fails to provide a safe work place for staff and does not effectively

assist the many young people and families engaged to make widespread robust positive life course changes.

The key principals as outlined in the Proposal for Consultation document are principals that NUPE generally agrees with. NUPE does believe there are gaps. Given the number of incidents of injury to staff and young people by assault, NUPE believes that a key principle must be a **significant dedication** in the design of the new ministry, **to health and safety for all tamariki and staff.**

The current operational model and organisational structure does not, in our view, demonstrate a true and transparent commitment to the safety of the young people, the staff or the wider community. It is imperative that a true commitment with significant resource to health safety is reflected moving forward with the establishment of MVCOT. **The new model must make it a priority that staff come home from work unharmed.**

Will the structure help achieve sought outcomes?

The proposed 'flatter structure' which seeks to ensure that managers are closer to the young people at the heart of the agency is a goal NUPE members agree with. In the past, a lot of feedback has been that the closer you get to National Office, the less is known about the realities of functioning on the floor / front line. The proposed structure may result in better and swifter decision making the service design more informed and appropriate to those engaged in receiving support and the staff providing this support.

The 'flatter structure' does result with the establishment of nine DCE's which may cause concern moving forward. The senior management team is quite large, although it is important to have focus on service delivery groups and specialist functions it is a real concern that a significant amount of the funding will be supporting senior management group and yet again funding will not make it to the frontline.

There must be a change in the mind set at Head Office that the frontline is the young people and the staff working with them and not the Minister's office or looking good to the Childrens Commissioner or internationally.

NUPE accepts and understands that MVCOT will answer to the Minister and the Children's Commissioner but if the right support is provided to the staff and tamariki then the Minister's Office should also be satisfied. For this new model to work the focus and order must be correct. The frontline must be the most important part of the organisation. Every other part of the organisation should be supporting the frontline staff to support tamariki.

Does the structure emphasis the right things?

Within the form of the structure the three clusters and the groups within the clusters seem to emphasis the right things. The proposed structure may allow that the client and quality groups, enabling groups and the specialist support will inform strong practice and service delivery to those engaged by the service.

The 'separation' between Care and Protection and Youth Justice will only work if both areas are well resourced to ensure each can continue to deliver the services to best support tamariki. There must not be a loss in one area to support the other. In the past funding, has moved between the two as the crisis has moved.

Is there anything important missing from the structure?

Voice of The Staff

There is an appropriate emphasis in terms of the incorporation of the voice of the child. The structure however does not seem to have any means to receive feedback from staff on the front line in terms of input into what works well, what does not work so well and gathering input regularly in the way that it is proposed that young people will be heard. There are many staff, some who have been with the service in its many models and structures who will have valuable input, this input equally as valuable as that provided by the voice of young people. This function seems to be missing from the structure.

The new model must engage staff positively and where events go wrong learn from them instead on focussing on 'blame'. The new model must

move from the blame culture that is currently pervasive across CYF/ MSD. MVCOT must allow staff to learn from mistakes in a supportive way and the use of Human Resource investigations should be kept to a minimum. NUPE believes MVCOT could demonstrate ‘teachable moments’ to the young people and staff by better utilising the restorative justice model between staff and young people particularly in the residences when things go wrong which will happen from time to time.

Health and Safety Management

Further, there seems to be limited focus in terms of managing the safety of the service in terms of how the design of services will impact on safety when it is delivered. Health and safety has not been included in the guiding principles as outlined in the consultation document and within the proposed structure there is not significant reference to how and where the health and safety of young people and staff will be a key consideration in service delivery.

The re-write of the Residential regulations must make changes to keep staff and young people safe. The regulations MUST take account of the complexities of managing the behaviours (that are the risk) in this group. For Example: The regulations must allow doors to be locked in rooms at nights.

The tools available to staff in the Residences must be sufficient to genuinely ensure safety for all including the staff. The recent introduction of MAPPA has gaps. NUPE would support the introduction of a Level 2 MAPPA that would provide tools for safely exiting a room and holds to be used if a situation ends up on the floor.

The new Ministry must make safety for staff a priority and not just a tag on to other matters.

Non- Social Work Registered Staff

There are many people employed to deliver service who are not social work registered. The structure for example does not refer to the specific management and development of the youth workers employed. There is

reference to a focus on professional practice and leadership by the Chief Social Worker Director of Professional Practice however in terms of recognition of youth workers as a profession with a solid development plan, there appears to be a gap.

Property

The proposal shows that property management will remain with the MSD. Over the last years there have been many concerns regards property particularly at the residences.

- Often items will be damaged and not replaced meaning staff must continue service without the required items i.e. toasters, pots, pans, dishwashers, washing machines, dryers. That the system to have these items repaired at times can take a very long time
- That there is often issue with glass at residences, that the wrong glass or unsuitable glass is being used or that the time for replacing glass is too long. This impacting on safety in the units. Glass in the residence is a risk. NUPE believes that glass should not be used in the residences as once broken it is a potential weapon of harm to the YP themselves or to other YPs or staff.
- That where a health and safety issue relating to lack of lighting on pathways was highlighted, resulting in injuries to staff, it took a three-year process to address

There are many examples of where property is poorly managed and extremely slow in the response time. This failing is likely due to the lack of understanding of Property at Head office MSD to the immediate needs at the Residences. The new structure must have a more responsive system for property need. NUPE believes that each residence or site should manage and maintain its own property needs with oversight only (not approval) from Property MSD.

Should we use Maori names for groups and regions in the new structure?

MSD is a treaty partner. A real and robust commitment to the treaty ought to be demonstrated which far surpasses the superficial commitment

demonstrated using token Maori words and names. A real and robust demonstration of commitment to the treaty and its implications in terms of service design and delivery is paramount if the outcomes for Maori are to be lifted. With many of those engaging with the services being of Maori decent, to have a safe and effective intervention delivered, the department must 'know' the client and know how to support them, this from the top of the agency through to the front line. This goes beyond the use of Maori names for groups and regions in the structure.

What issues will the Ministry need to manage if the youth justice services are delivered separately?

- The management of the youth justice services separately may be beneficial given a more focused approach to youth justice needs. There must be sufficient resource for Youth Justice and Care and Protection. Priority must be given to the management of risk in the area. The young people involved in this sector are often volatile, violent and the offending recidivist. Keeping young people safe and the staff safe through the change process and moving forward is paramount and at present a matter that the organisation struggles with.
- Managing and developing strong transition programmes for these clients will need to be priority. This especially so, if the transition services are managed separately from those in care and protection.
- NUPE believes this change process provides an opportunity to trial safer ways of working. For example: an immediate trial of locking the Young People into their rooms at nights would immediately remove the significant risk of harm that exists currently for the Night Staff across the residences.
- With the increasing trend in complex young people coming through, the matter of managing those that have care and protection, health, mental health and educational needs will need to be considered. Especially in terms of the impact that those with high needs may

have on the safe delivery of the services. Although there have been gains in terms of working with young people who have mental health needs, this remains an area needing development especially given that many of these young people present with behaviour that is dangerous to themselves and to others.

- Concern that the current structure may result with the young people involved with Youth Justice, being managed in isolation to the services being offered to the wide family by MSD

Do you think the right services are included in the prevention and intensive intervention group?

The union expects to be fully consulted and involved as the new prevention approaches and services are still being designed. This where new prevention services will potentially impact on our members.

What will we need to do to make sure that the tamariki advocate role to be effective?

For this role to be effective, it will be important that there is a specific scope and process for the gathering of and facilitation of the voice of the child and young person.

It will be important that this does not become a mechanism that is manipulated and poorly executed as a token gesture, to suit the needs of the ministry.

It might be best if after the roles are established, that there is work completed to see that this part of the service is done independently of the new ministry.

Where there is real and honest focus on the involvement of young people in decision making and in a youth voice activity, there will need to be added focus on the leadership development of these youth.

There is concern that facilitated poorly, there is a real possibility that the feedback gathered may not be productive, accurate or reflective of the general opinions of those involved with the service but rather the view of an opinionated individual venting regards their own personal experience.

Traditionally in Youth Justice and across Residences, there has been the feedback mechanisms of both grievance process and the feedback boxes at sites. We have been aware of multiple occasions where young people have worked together to abuse these systems.

NUPE has already identified the use of Restorative Justice particularly in the Residences going forward.

Conclusion

In conclusion, the proposal shows a lot of robust thinking that may lead the country into a better way of supporting young people and families in need, in New Zealand. The structure and the guiding principles may allow the service to work more swiftly and be more responsive to the needs of young people. NUPE is of the view that given this is a very high level document, further consultation and inclusion of the unions moving forward will be necessary where the operational specifics are designs.

Concern has been raised with us, that whilst the proposals are in consultation stages, individuals have been hearing that some staff have already been told they will be made redundant. This may be a misunderstanding about the process but it has caused much doubt amongst members as to the validity of the consultation phase as it appears that decisions have been made already.

Your staff have a lot to offer so please engage and ensure you listen to the voice of the child and the voice of the staff who work with them at the frontline.

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