

Terms of Reference for the Modernising Child, Youth and Family Expert Panel

Purpose

These terms of reference describe the objectives and functions of the Modernising Child, Youth and Family Expert Panel (Expert Panel), an independent advisory group appointed by the Minister of Social Development (the Minister).

Background

The former Department of Child, Youth and Family Services (CYFS) merged with Ministry of Social Development (MSD) in 2006. Prior to this time, CYFS experienced significant organisational and performance issues. While there have been improvements, a number of recent reports show that significant issues still exist within Child, Youth and Family. These include:

- The Mel Smith report (2011) emphasised the need for a child-centred approach with all of government taking joint responsibility for child safety and welfare.
- The Broad report (2013) proposed ways to ensure Child, Youth and Family is accountable for what it does, and identified areas for improving the framework of organisational, professional and regulatory structures to support the practice and framework of Child, Youth and Family.
- A Deloitte report looked into Child, Youth and Family spending.
- The Qualitative Review of Social Worker Caseloads, Casework and Workload Management (the Workload Review) (2014) found a lack of clarity around Child, Youth and Family's core business.

In addition, the Children's Action Plan, along with other Government and Ministry of Social Development initiatives, are changing the environment in which Child, Youth and Family operates – creating both opportunities and different expectations.

The Ministry of Social Development has initiated a programme of work that will lead to a significant transformation of Child, Youth and Family, known as Modernising Child, Youth and Family.

Modernising Child, Youth and Family aims to develop a new operating model which sets out the structure, systems and resources needed to help improve the outcomes for children and young people by strengthening and enhancing the way it operates, and provide advice to Government on what future investments should be made to improve Child, Youth and Family's performance.

A first draft of the Modernising Child, Youth and Family Business Case was provided to the Minister in December 2014.

The Minister considers the Modernising Child, Youth and Family programme would benefit from greater external oversight and expertise over the development of the business case.

This objective will be achieved through the establishment of an expert panel to provide advice and oversight over the development and finalisation of the Modernising Child, Youth and Family Business Case.

Objectives

The Government's expectation is that the Expert Panel will provide the Minister with authoritative and independent advice on the development and finalisation of the Modernising Child, Youth and Family Business Case.

Specifically, the Expert Panel is responsible for:

- Providing the Minister for Social Development with a programme level business case by 30 July 2015. The programme level business case will be focused on the case for change, desired future state for CYF and a high level assessment of options for a future CYF operating model; and
- Providing oversight and challenge on the development of the detailed business case, to be delivered to the Minister for Social Development by December 2015, with any Budget decisions considered as part by Budget 2016.

These dates are indicative and are subject to confirmation following discussion between the Chair of the Expert Panel and the responsible Minister.

Scope

In developing the programme level and detailed business cases, the Expert Panel may consider any matter relating to Child, Youth and Family's operating model and core business. It is the Government's expectation that the Expert Panel will specifically consider:

- The extent to which Child, Youth and Family's current operating model is child-centric and focused on improving results for children and young people
- The core role and purpose of Child, Youth and Family; and opportunities for a stronger focus on this, including through outsourcing some services
- The effectiveness, efficiency and economy of Child, Youth and Family's current spend and the extent to which it is delivering improved results for children and young people. This includes mechanisms for determining distribution of resources to national and regional areas, to individual clients and between care and protection and youth justice services
- The development of an investment approach for Child, Youth and Family to ensure spending is focused on results
- Approaches to improving intake, assessment and planning processes to reduce system churn and to better ensure that children and young people receive the support and services they need
- Actions required to ensure effective planning for young people transitioning from care, including consideration of the costs and benefits of increasing the age of leaving care
- The purpose of Child, Youth and Family care and protection residences and youth justice facilities, and the extent to which these provide effective use of resources to improve outcomes for children and young people
- The professional knowledge, skills and expertise required by Child, Youth and Family to deliver improved results for children and young people they work with, and implications of this for providers of training, development and contracted services
- The extent to which effective strategies are in place to recruit, support and retain high quality caregivers who are able to provide stable placements and meet the diverse needs to those requiring care
- The adequacy of current independent oversight, advocacy and complaints mechanisms for Child, Youth and Family.

- Approaches that Child, Youth and Family could use to form stronger partnerships with other Government agencies and non-governmental organisations to improve results for children and young people
- The interactions, alignments and responsibilities of Child, Youth and Family, Children's Teams and other relevant services
- The availability, access and use of evidence, data and information to support accountability and management decision-making, including monitoring and evaluation of the quality, costs and outcomes for children and young people
- The potential role of data analytics, including predictive risk modelling, to identify children and young people in need of care and protection
- How technology might be better utilised by Child, Youth and Family to enable staff to focus on more effective working with children, young people and their families
- Any legislative barriers that prevent the delivery of improved results for children and young people who come into contact with Child, Youth and Family
- How to ensure that the new operating model delivers better outcomes for all Child Youth and Family's clients, and particularly for Maori
- Any other issues that the Expert Panel believe is necessary to be considered as part of the Modernising Child, Youth and Family Business Case or brought to the Minister of Social Development's attention.

Accountability

The Expert Panel is accountable to the Minister for the quality and timeliness of its advice and reports.

The Chief Executive is accountable to the Minister for the implementation and ongoing delivery of the Modernising Child, Youth and Family Programme.

The State Services Commissioner will have regard to the advice of the Expert Panel when assessing the performance of the Chief Executive on matters concerning the development of the Modernising Child, Youth and Family Business Case.

Conduct of Business

The Expert Panel will agree an approach with the Minister for carrying out its role. This will specify the content and frequency of its reporting. Given the challenging timeframes for the development of the Modernising CYF Business Case, it is expected that the Expert Panel will meet frequently.

The chair of the Expert Panel will:

- provide free and frank advice using a no surprises approach with both the Minister and the Chief Executive
- provide advice that takes account of the resources allocated to the Ministry of Social Development for the development of the Modernising Child, Youth and Family Business Case
- consult the Minister and the Chief Executive before talking to the media
- receive from the Ministry regular, timely and accurate reporting, the nature and detail of which will be determined by the Board.

In order that the Expert Panel can fully execute its functions it is expected that the Ministry of Social Development will support their role by operating a no surprises approach, provide

timely advice and information to the Expert Panel, and consult with the Expert Panel on engagement with the media.

All advice or information provided to the Expert Panel by the Ministry of Social Development will be subject to the provisions of the Official Information Act. All advice or information provided by the Expert Panel to the Minister, other ministers, and/or the Chief Executive, will be subject to the provisions of the Official Information Act 1982 and its release will be subject to consultation with ministers. Decision on the release of information will be determined after consultation with all interested parties.

The Chief Executive will support the Expert Panel by ensuring that it is provided with the information and expert advice (e.g. actuarial advice) relevant to the development of the Modernising Child, Youth and Family Business Case. The Chief Executive will meet with the Expert Panel's chair to determine the form and content of this information, and on other support to be provided. They will agree upon an annual budget for the Expert Panel following consultation with the Minister.

Authority

The Expert Panel is an advisory body and has no authority to direct any Government department or agency, employ staff, enter into contracts, or make commitments or undertakings on behalf of any Minister or Chief Executive.

Review

The Minister will review these terms of reference and the membership of the Expert Panel in November 2015, with a view to shifting their focus towards assurance over implementation of the Modernising Child, Youth and Family Business Case.

The Minister will consult with Cabinet on proposed changes to the Expert Panel's terms of reference and membership before the end of 2015.

Membership

The Expert Panel shall consist of five members, including the chair.

Together, members should have:

- Extensive, large scale change management experience, preferably in an operational environment;
- Experience in developing and / or providing assurance on an actuarial valuation model;
- A strong understanding of CYF's operating environment, or of a comparable operating environment in another jurisdiction;
- Senior and recent Public Service experience;
- Strong understanding of tikanga Māori; and
- Strong governance capability.

The chair and members of the Expert Panel are appointed by the Minister for Social Development, following consideration by Cabinet's Social Policy Committee.

Members shall be appointed for a period determined by the Minister. Members may be reappointed at the discretion of the Minister.

The Minister for Social Development may remove a member of the Expert Panel from that office by issuing written notice stating the date from which the removal of the member is effective. The Minister may, at his or her discretion, consult with the chair before removing a member of the Expert Panel. The chair may be removed from the board by the Minister for

Social Development issuing written notice stating the date from which the removal of the chair is effective.

Any member of the Expert Panel may tender their resignation at any time by way of letter addressed to the Minister for Social Development.

Members are expected to act in good faith, with integrity and with reasonable care in performing their duties on behalf of the Expert Panel.

The Chief Executive, or his or her designated representative, shall have a standing invitation to attend the Expert Panel's meetings and to contribute to deliberations, but is not a member of the Expert Panel. The chair may choose, from time to time, to exclude officials from a meeting or part of a meeting.

Fees and expenses

Fees are determined under the fees framework set out in Cabinet Office Circular CO (12) 06.