

<b>Title</b>	<b>Demonstrate knowledge of laws and responsibilities relevant to children and young people in care</b>		
<b>Level</b>	<b>3</b>	<b>Credits</b>	<b>5</b>

<b>Purpose</b>	<p>This unit standard is intended for people whose activities bring them into contact with children or young people or who work with children or young people in care.</p> <p>A person credited with this standard can demonstrate knowledge of laws and responsibilities relevant to children and young people in care.</p>
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<b>Classification</b>	Social Services > Care of Children and Young Persons
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<b>Available grade</b>	Achieved
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### Guidance Information

- 1 Range  
Care settings may include – whānau, kin, and foster care; respite care; residential care.
- 2 Definitions  
*Approved agency* is an agency approved under the Oranga Tamariki Act 1989 s396(8).  
*Carer* is a person who is a custodial carer providing care for a child or young person from their own whānau or family, or a person who provides foster, respite, or residential care for a child or young person placed with them by an approved agency or the Ministry of Justice. In the context of this unit standard, carers do not include adoptive parents or birth parents.  
*Child* means a person under the age of 14 years.  
*Young person* means a person of or over the age of 14 years but under 18 years and has an extended meaning that includes some young adults for certain purposes under the Oranga Tamariki Act 1989 s386AAA.
- 3 Legislation relevant to this standard may include but is not limited to:
  - Care of Children Act 2004;
  - Children’s Act 2014;
  - Crimes Act 1961;
  - Family Proceedings Act 1980;
  - Family Violence Act 2018;
  - Human Rights Act 1993;
  - Oranga Tamariki Act 1989;
  - Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018;

- Privacy Act 2020;
- Te Tiriti o Waitangi/Treaty of Waitangi.

#### 4 References

Pawson, M. (2010). *Youth and the law 2010: A comprehensive guide to the law relating to youth, from birth to adulthood*. Wellington: Educational Resources for Legal Resources Trust.

New Zealand. Ministry of Health/Manatū Hauora. (2020). *Te Whare Tapa Whā: Māori health model*. Available at <https://www.health.govt.nz/our-work/populations/maori-health/maori-health-models/maori-health-models-te-whare-tapa-wha>.

New Zealand. Ministry of Health/Manatū Hauora. (2020). *Treaty of Waitangi principles*. Available at <https://www.health.govt.nz/our-work/populations/maori-health/he-korowai-oranga/strengthening-he-korowai-oranga/treaty-waitangi-principles>.

New Zealand. Ministry of Social Development/Manatū Whakakiato Ora. (2020). *United Nations Convention on the Rights of the Child*. Available at: <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/monitoring/uncroc/>.

## Outcomes and performance criteria

### Outcome 1

Demonstrate knowledge of laws and responsibilities relevant to children and young people in care.

### Performance criteria

- 1.1 The United Nations Convention on the Rights of Children (UNCROC) is explained in terms of its key features.
- 1.2 The Treaty of Waitangi principles of partnership, participation, and protection are explained in accordance with the New Zealand Ministry of Health published definitions.
- 1.3 The principles of legislation relevant to children and young people in care are described in terms of their key features.
- Range evidence must include – general principles, paramountcy principle, care and protection principle, youth justice principle; whānau/family participation and child and young person’s voice must be included in each description.
- 1.4 Legal statuses of children and young people in care are defined in terms of the relevant legislation.
- Range legal statuses must include but are not limited to – care agreements, guardianship, custody and/or day-to-day care, adoption.

- 1.5 The roles and responsibilities of carers are described in terms of the legal status of children and young people in care.
- Range carers roles and responsibilities must include but are not limited to – care agreements, guardianship, custody and/or day-to-day care, adoption.
- 1.6 Arrangements for access and/or contact are described in accordance with relevant legislation.
- Range arrangements for access and/or contact must include but are not limited to – family agreements for access and/or contact, court-ordered access and/or contact, supervised access and/or contact, whānau/family rights to access/contact.
- 1.7 Age of legal competency is identified in terms of relevant legislation.
- Range activities may include but are not limited to – abortion, babysitting and/or supervision, entering into contracts, gambling, leaving compulsory education, leaving home, marriage, obtaining a driver's licence, dealing with the police and criminal justice system, purchasing and/or supplying alcohol, purchasing and/or supplying tobacco, consensual sexual activity, voting, compulsory or available early education hours, age of leaving care; evidence is required for ten with the relevant legislation identified for four of those selected.
- 1.8 What a carer should expect in relation to support and capability building is explained in accordance with the Oranga Tamariki National Care Standards.

<b>Replacement information</b>	This unit standard replaced unit standard 20351.
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<b>Planned review date</b>	31 December 2023
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**Status information and last date for assessment for superseded versions**

Process	Version	Date	Last Date for Assessment
Registration	1	16 April 2015	31 December 2019
Review	2	1 November 2018	N/A
Revision	3	27 May 2021	N/A

<b>Consent and Moderation Requirements (CMR) reference</b>	0024
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

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**Comments on this unit standard**

Please contact Careerforce [info@careerforce.org.nz](mailto:info@careerforce.org.nz) if you wish to suggest changes to the content of this unit standard.