



working together for children and young
people with high and complex needs

PROTOCOL

BETWEEN

**THE MINISTRIES OF HEALTH, EDUCATION AND SOCIAL
DEVELOPMENT**

FOR

THE HIGH AND COMPLEX NEEDS INTERAGENCY STRATEGY

May 2007



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Introduction

On 4 December 2000, Cabinet agreed to a *Strategy for Children and Young People with High and Complex Needs Requiring Cross-sectoral Services* [see CAB (00) M40/2a] which would consist of work to:

- address serious service gaps and shortfalls
- enhance collaboration across sectors in service development and funding by:
 - strengthening local cross-sectoral coordination and collaboration
 - facilitating the development of more joint sector services
 - developing cross-sectoral processes for intensive, case-managed services for individual children and young people with the highest and most complex needs.

On 23 April 2001, Cabinet approved funding for the Strategy as outlined in Annex Two, below. Cabinet noted that the package would be funded from the Social Services and Education allocations, and from reprioritisation within Vote Health [see CAB Min (01) 12/6 (41)].

The Strategy involves the Ministries of Health, Education and Social Development. These agencies are represented on the HCN Board and these sectors are responsible for implementing the Strategy.

The *Intersectoral Strategy for Children and Young People with High and Complex Needs – Te Kahu Tauahi Whanau* was published in April 2005¹.

The Strategy supports capability development and the HCN Unit provides a resource for children and young people with the highest and most complex unmet need. The funding it provides is a 'step up' resource that targets the very highest levels of unmet need. It is not a replacement for existing services, and all interventions funded under the Strategy are *in addition* to the support and services provided by families, communities and government agencies at the local level.

Local and regional staff of the partner agencies, as well as health and disability sector providers, are involved in coordinating the services that are available through their sectors, and collaborating on the development and implementation of plans for individual children and young people with high and complex needs.

The HCN Unit promotes and helps to implement the Strategy. It manages the funding for packages of services that is available through HCN funding. The Ministry of Social Development hosts the Unit, with Child, Youth and Family Services providing accommodation, infrastructure and corporate and administrative support.

The budget for the HCN Unit is a ring-fenced allocation within the Ministry of Social Development appropriation, in the Vote: Child, Youth and Family Services.

¹ The Strategy is now referred to as the High and Complex Needs Interagency Strategy.

This Protocol sets out the agreement between the agencies about their commitment to the Strategy and their roles in governance, management, policy advice, collaboration and service delivery.

The Protocol describes the organisational arrangements as at 1 July 2006 and reflects the merger of the Department of Child, Youth and Family with the Ministry of Social Development.

Agreement

In implementing the High and Complex Needs Interagency Strategy, the Ministries of Health, Education and Social Development agree to:

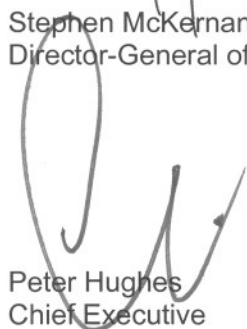
- adhere to the vision and goals, and to apply the principles outlined in Schedule One
- work collaboratively and promote goodwill in the working arrangements between sectors
- support the governance arrangements described in Schedule Two
- take on the responsibilities described in Schedules Three and Four that are appropriate to their roles in the Strategy
- support the HCN Unit in the role described for it in Schedule Five
- when necessary, use the processes outlined in Schedule Six to resolve disputes
- review the Protocol as described in Schedule Seven.



Karen Sewell
Secretary for Education



Stephen McKernan
Director-General of Health



Peter Hughes
Chief Executive
Ministry of Social Development

SCHEDULE ONE

VISION, GOALS, OUTCOMES, PRINCIPLES

Vision

Improved outcomes for children and young people with high and complex needs, through effective inter-sectoral service collaboration.

Goals

- To foster collaboration to improve outcomes.
- To improve the effectiveness of inter-sectoral services.
- To build sector capacity and capability.

Outcome domains

- Physical health and mental wellbeing.
- Attachment, belonging and family/whānau relationships.
- Cultural identity.
- Development and independence.
- Strong educational foundations for life-long learning.
- Social interaction.
- Safety and security.

Principles underpinning the Strategy

The Strategy:

- Focuses on addressing unmet needs, with these needs dictating the type and mix of services provided.
- Seeks to support and strengthen family/whānau/caregiver capacity to nurture and care for children and young people with high and complex needs.
- Will promote and encourage inter-sectoral partnerships nationally and locally to enable increased responsiveness of local services so the needs of children and young people can be met locally.

Collaboration principles

- Sectors will take a collaborative problem-solving approach.
- Sectors should accurately identify children and young people with the highest and most complex unmet needs and engage in inter-sectoral processes to meet their needs at the earliest possible stage.

Intervention principles

- All interventions will focus on making gains for the child or young person.
- All interventions will support the child or young person to be positively aware of, and able to draw strength from, their culture and spiritual identity.
- Children and young people should, wherever possible, participate in planning and decision-making processes that affect their future.
- Services should be delivered within the least restrictive environment that is appropriate.

GOVERNANCE

1 Overview

The purpose of the governance arrangements is to promote the Strategy, formalise the involvement of the partner agencies, coordinate decision-making among the agencies and support interagency collaboration. The governance arrangements focus on aligning the operation of the HCN Unit with the direction for the HCN Strategy, on the resolution of operational policy and funding issues that arise, and on the performance of the HCN Unit in terms of the vision, goals and desired outcomes set out in the Strategy.

Governance is provided through the HCN Board, the participation of senior managers from the agencies and, when necessary, through the involvement of agency Chief Executives.

2 The HCN Board

The HCN Board is made up of senior policy and operational managers from the partner agencies (with a maximum of two members from each agency). The host agency arranges the independent Chair: it also provides secretariat support. The Board may co-opt additional members to ensure that it has the appropriate mix of skills (kaumatua, for example), provided always that the partner agencies have the majority on the Board.

Board responsibilities

The HCN Board is responsible for the direction of the HCN Unit as it gives effect to the policy² within the limits of the Strategy, the budget and the operating rules of the host agency.

The responsibilities of the Board, are, within the policy settings to:

- provide inter-sectoral leadership
- monitor the HCN Unit's financial and operational performance and achievement of the Strategy's outcomes
- set standards and evaluate its own performance
- facilitate information flows between key stakeholders.

Board functions

The functions of the Board are to:

- appoint the Unit Manager, using the host agency's recruitment processes
- approve the Unit's Business Plan and Strategic Communication Plan
- sponsor the projects under the Business Plan
- approve forward budgets and quarterly financial reports

² See Annex One for definitions of policy settings and operational policy

- confirm the operational policy for the Unit
- receive reports on:
 - financial and operational performance
 - case progression trends
 - service capacity, including gaps and capability
 - forecasting and modelling
 - risk and quality management.
- report regularly (6-monthly) to the partner agencies and Ministers on progress in implementing the Strategy and on the use of the appropriation
- facilitate the alignment of operational policy
- ensure that succession planning occurs for the Board and the Unit
- identify issues that require discussion of the Strategy's policy settings by the partner agencies.

The Board sets its own operational processes. It produces agendas and minutes of its meetings. It makes decisions for which the Board members are collectively responsible.

Out of scope

The role of the Board does not include reviewing the Strategy and policy settings (see Schedule Three, Responsibilities of Partner Agencies, below).

Members

Members of the HCN Board:

- take an active leadership role in interagency collaboration
- have sufficient seniority, delegated authority, service knowledge and credibility within their sectors to exercise the decision-making and leadership functions of a Board member
- represent their sectors' views while also taking a whole-of-government perspective
- promote the Strategy within their agency, assist the Board and the Unit to make strategic linkages within their agency, and facilitate consultation
- have management experience in a central government context
- arrange a suitably senior replacement if they are unable to attend a meeting.

The Chair

The Chair of the HCN Board is arranged by the host agency and will be a senior manager equivalent to a general manager, who does not have line responsibility for the Unit's performance. As well as chairing the meetings of the Board, the Chair:

- ensures that Board decisions are acted upon
- takes the lead in resolving any differences among the partner agencies related to the Strategy
- acts as the spokesperson for media enquiries related to the Strategy

- addresses any issues related to the performance of Board members or the representation provided by the partner agencies
- ensures that appropriate consultation occurs between the agencies and across sectors
- ensures that secretariat and corporate support is provided to the Board and the Unit
- promotes the Strategy within the host agency and assists the Board and the Unit to make strategic linkages across the host agency.

The distinction between the role of the Chair and the role of the host agency representative is that, as a general rule, the Chair will focus on the interests and views of the Board, while the host agency representative will present the agency view.

3 Chief Executives of the agencies

The Chief Executives of the agencies, or their delegates, will meet about the Strategy when necessary, for example, if issues cannot be resolved by the host agency and the Board in consultation with the partner agencies (see Schedule Six).

SCHEDULE THREE

RESPONSIBILITIES OF THE PARTNER AGENCIES

1 Overview

The responsibilities of the partner agencies³ relate to:

- their participation in the Board
- their role in addressing policy issues and briefing Ministers
- their support for service delivery and collaboration at the local level
- their role in promoting the Strategy and the lessons learned from this interagency collaboration.

If a review of the Strategy, the HCN Unit or the host agency arrangements were required because of significant policy or organisational changes, or for any other reason, the partner agencies would have the lead role in carrying out such a review and making recommendations to Ministers.

2 Participation in the Board

When a vacancy arises on the HCN Board, the Board will advise the Chief Executive of the appropriate agency of the skills required in a new appointee and invite them to nominate suitable persons. The agency will advise the Board of its nominee. Each of the partner agencies may nominate a second representative, in order to ensure that the agency is appropriately represented, the Board has the necessary mix of expertise, and to ensure continuity of membership.

3 Responsibilities related to governance and policy issues

The responsibilities of the partner agencies are to:

- promote collaborative working arrangements and goodwill between the agencies
- nominate as a member of the Board a senior manager (operational or policy) who is experienced at managing services in a central government context, ensuring that their nominee has the authority to represent the agency's views on the Board
- ensure continuity of representation on the Board and to consult the Board about the skills required when membership changes
- identify any issues related to the policy settings for the Strategy that need resolution and to take an active role in addressing them with other policy agencies and with the Board
- contribute to the development of policy advice for Ministers and, by signing out briefing notes and other policy papers, to signal their agreement with the advice that is being given
- provide advice on operational policy to the Board and the HCN Unit

³ See the Glossary in Annex One.

- nominate an agency representative as a member of the Application Panel, ensuring that they have the appropriate knowledge of services and access criteria
- support timely decision-making and resolution of issues
- provide leadership by ensuring that the agency's support for the Strategy is widely known and understood by staff and is reflected in the agency's planning and decision-making
- align communications related to the Strategy and the HCN Unit (including, for example, hosting a link on agencies' websites to the HCN website)
- ensure that the different parts of their agencies continue to participate in the Strategy and its collaborative working arrangements
- provide guidance to managers and staff about greater flexibility and discretion that may be used when services for particular children and young people are being coordinated through an HCN Interagency Plan.

When a specific commitment is required from an agency, the Board will write to the agency outlining the issue and suggesting a process for working through the issue. The agency representative on the Board would be expected to play an active part in facilitating the process and bringing the issue to a conclusion.

4 Responsibilities related to service delivery and coordination at the local level

The Strategy aims to promote:

- effective local case coordination and local service responses, which include practice-level collaboration and management, along with access to relevant services within the sectors. This needs to take place within a collaborative case management process such as Strengthening Families.
- development of effective interagency service responses for children through better integration of existing sector services, the development of additional service capabilities, and the development of new joint services
- individual packages of funding to a small number of children and young people who have highly complex idiosyncratic needs and challenges that cannot be met through existing services.

The partner agencies therefore endorse the local management of HCN funding and undertake to encourage:

- managers in each agency developing relationships with each other (for example, Child, Youth and Family managers with school principals and Child and Adolescent Mental Health Service managers)
- front-line workers developing an understanding and respect for the expertise of other sectors (e.g. through participation in collaborative processes and joint training)
- front-line workers having access to expert advice and review (for example, through experts from the different sectors reviewing cases together)

- managers holding discussions with their counterparts in the other agencies to ensure that the resources that are normally available and existing services have been accessed
- managers coordinating on applications to HCN and service packages approved by HCN.

SCHEDULE FOUR

ROLE AND RESPONSIBILITIES OF THE HOST AGENCY

1 Overview

In addition to the responsibilities of partner agencies described in Schedule Three, the host agency has responsibilities for:

- corporate and administrative support for the HCN Board and the HCN Unit
- the employment of staff of the HCN Unit
- line management accountability for the HCN Unit
- the financial appropriation
- arranging an independent Chair for the Board.

The host agency recognises that the HCN Unit oversees a number of service development initiatives designed to support joint sector services. The Unit acts as a learning laboratory to feed back to the sectors and policymakers the key findings from these initiatives. The collation, evaluation and dissemination of the lessons learned are an important part of supporting the sectors and communities to build capacity and capability.

2 Corporate and administrative support

The Ministry of Social Development, as host agency, ensures adequate corporate and administrative support to the HCN Unit, including:

- accommodation
- human resources advice and support
- legal advice
- ministerial servicing support
- finance advisory support
- appropriation management
- contract management infrastructure and support
- IT infrastructure and support
- communications advice and support.

The host agency may agree to provide other services at the request of the HCN Unit. The Unit will obtain the Board's support and will make any request through the Board Chair. The Chair will advocate for reasonable priority and consideration for the HCN Unit by the host agency. When the HCN Unit requires services or specialist support that the host agency does not have, the HCN Unit will need to purchase these from another source.

The host agency undertakes to:

- recognise the inter-sectoral nature of the Unit's work and, when necessary, consider making exceptions to its operating rules in order to facilitate interagency working. The HCN Unit will obtain the Board's support and make any request to the host agency through the Board Chair.
- consult the Board on the appropriate organisational design for the HCN Unit
- support the Manager to carry out performance reviews, determine salaries and conditions and manage performance issues
- recognise interagency collaboration as a competency for the staff of the HCN Unit and request comments from other agencies during the performance review process
- work with the HCN Unit to customise service coding and reports for the purpose of meeting the information needs of the Strategy, key stakeholders and the partner agencies.

3 Management of the financial appropriation for the Strategy

The host agency is accountable for the financial appropriation for the Strategy, which is part of the Ministry of Social Development appropriation.

The host agency:

- acknowledges that it holds the ring-fenced appropriation on behalf of the partner agencies and the HCN Board for the purpose of implementing the Strategy.
- provides the HCN Unit with information about requirements related to the budget cycle, such as the deadlines for budget updates and reports
- consults the Manager of the HCN Unit and the Board about the management of the appropriation
- consults the Board and partner agencies about the Budget Update process in time for them to provide input before decisions are made
- consults the Board and the partner agencies about any proposals to change the appropriation, reprioritise the funding or to manage potential under- or over-spending (see Schedule Six)
- provides financial advice and support to assist the HCN Unit with budgeting, reporting and financial management, including making a financial adviser available to attend Board meetings
- specifies the financial delegations of the Manager of the HCN Unit
- gives the Manager of the HCN Unit delegated financial authority to approve plans through a collective panel decision-making process
- uses its best endeavours to reach agreement with the partner agencies on non-routine financial matters.

4 Chairing the Board

The host agency acknowledges the significance of the High and Complex Needs Interagency Strategy and the need for visible leadership by arranging a senior manager, equivalent to a general manager, to chair the Board. The responsibilities of the Chair are outlined in Schedule Two.

The host agency provides secretariat support for the HCN Board.

THE ROLE OF THE HCN UNIT

1 Overview

The HCN Unit promotes and implements the Strategy and manages the funding for packages of services available through HCN funding. The national level role involves:

- supporting collaboration across the participating sectors through the work of the HCN Advisors
- day-to-day allocation of funding
- managing the relationships with stakeholders
- information management and dissemination
- regular reporting to the partner agencies.

The usual operating rules of the host agency apply to the HCN Unit, unless there is an agreement to vary these rules. The HCN Unit may sometimes need to take a different approach from the host agency in order to facilitate interagency working, to promote the visibility of the Strategy and to maintain the separate identity of the HCN Unit.

2 Role of the HCN Unit

The role of the HCN Unit is to:

- support the development of interagency working and relationships at all levels
- provide day-to-day management of the funding allocated to the Strategy
- allocate funding for individualised packages of care through the Plan Approval Panel
- allocate funding for some collaboration initiatives at the local level
- collect and manage information and knowledge
- provide regular reports to Ministers, the partner agencies and key stakeholders.

The HCN Unit also oversees a number of service development initiatives designed to support joint sector services. The HCN Unit acts as a learning laboratory to feed back to the sectors and policymakers the key findings from these initiatives. The collation, evaluation and dissemination of the lessons learned are an important part of supporting the sectors, and communities to build capacity and capability.

HCN funding

The HCN Unit is responsible for administering funding for individualised packages of care.

The objectives for the individualised packages of care are to:

- identify accurately the children and young people with the highest and most complex unmet needs
- ensure that those who do not receive HCN funding support are referred to appropriate existing services
- support the development of plans that are capable of demonstrating gains for the child or young person
- monitor and review existing plans to ensure they are meeting their objectives and are capable of making gains for the child or young person in the outcome domains described in Schedule One
- ensure that all interventions promote a smooth transition to existing services for children and young people, or adult services, once HCN funding ceases
- monitor services and collect information to promote best practice interventions
- use the information gathered from monitoring and evaluating interventions as the basis of identifying service gaps and investing in future services
- promote best practice in interagency collaboration by identifying where collaboration has worked
- help build the capability of the workforce of all three sectors to collaborate to support children and young people with the highest and most complex unmet needs
- prioritise and manage funding to get the best results.

RESOLVING DIFFERENCES

1 Overview

The partner agencies acknowledge that, while their intention is to work together and reach agreement, there may be circumstances where their differing interests cannot be reconciled through the normal processes of the Board. In order to maintain good working relationships and clear understandings, it is necessary to set out the process to be followed to resolve such differences of view.

It is expected that, in most circumstances, differences will be resolved through the HCN Board and that issues will not need to be referred to the Chief Executives of the partner agencies for resolution. It is assumed that Board members will have alerted their agencies' policy managers of any dispute before the Board escalates the matter to Chief Executives.

When the host agency and the Board cannot agree, and before making a decision, the host agency will brief the Chief Executives of partner agencies and endeavour to reach agreement with them about the proposed course of action.

2 HCN funding and standard operating procedures

The host agency agrees to identify any proposed changes to the budget or to the standard operating procedures of the HCN Unit in a way that allows the process described below to occur.

The host agency will:

- alert the Board Chair and the Manager of the HCN Unit of any host agency proposal that would impact on the budget or the standard operating procedures of the Unit
- consult the Board before making any decision
- meet the Board to outline the options and attempt to reach an agreed position
- involve the Board in its decision-making process.

When the host agency and the Board cannot agree, and before making a decision, the host agency will brief the Chief Executives of partner agencies and endeavour to reach agreement with them about the proposed course of action.

The partner agencies:

- recognise that the host agency is accountable for the HCN budget
- expect the host agency to consult them and endeavour to reach agreement with them about any proposed reallocation or reprioritisation
- recognise that, from time-to-time, the Vote/Responsible Minister for Child, Youth and Family will look to reprioritise funding within the Vote for other purposes:

funding that is ring-fenced for HCN, although not excluded from this possibility, will be considered within the governance arrangements set out in this protocol before final advice is provided to the Vote Minister on any reprioritisation options.

- take the view that, if HCN funding is to be reprioritised, it should still be used for the purpose for which it was appropriated, namely, to support an inter-sectoral response to the children and young people with the highest and most complex unmet needs.

3 Operational policy issues

The partner agencies agree that any differences between the agencies, or between the agencies and the HCN Unit, should in the first instance be raised with the Board Chair in order to resolve the issue through the Board.

Where the Board cannot agree on an operational policy issue, or where Board members are unable to commit their agencies, the Chair should raise the issue with the policy managers of the partner agencies. In some instances, it will be appropriate for one of the agencies, rather than the Board, to take the lead on the policy issue.

4 Service delivery and local collaboration

Any differences of opinion or approach related to service delivery and local collaboration should be addressed through local managers and the normal processes for escalating issues within and between agencies. The HCN Unit Manager will alert the Board of any issues through the risk reporting process. The Board members may have a role in facilitating the resolution of such issues in their own sectors.

SCHEDULE SEVEN

REVIEW OF THE PROTOCOL

The Protocol will be reviewed when one of the parties indicates in writing to the Chair of the Board that they wish to have a review undertaken.

GLOSSARY

Host agency	The Ministry of Social Development.
Key stakeholders	Ministers, judges, the Commissioner for Children and Strengthening Families.
Partner agencies	The agencies responsible for implementing the Strategy – ie, the Ministries of Health, Education and Social Development. Child, Youth and Family Services within the Ministry of Social Development and providers in the sectors.
Policy settings	The policies that established the Strategy and set its direction and budget. The policy settings are the responsibility of the partner agencies and not the HCN Board.
Operational policy	The policies related to the day-to-day administration of the Strategy. Operational policy specifies HCN processes and delegations and is the responsibility of the Board in some instances and the host agency in others (each in consultation with the other).

ANNEX TWO

HCN BUDGET AND EXPENDITURE

Funding contributions from agencies

On 23 April 2001, Cabinet (CAB Min (01) 12/6 (41)) noted that the package of measures related to the High and Complex Needs Interagency Strategy would be funded from the Social Services and Education allocations, and from reprioritisation within Vote Health, as follows:

	\$ Million, GST inclusive			
	2001/02	2002/03	2003/04	2004/05 and out-years
Social Services Allocation	1.980	2.655	2.655	2.280
Education Allocation	1.980	2.655	2.655	2.280
Vote Health reprioritisation	1.905	2.580	2.580	2.205
Total	5.865	7.890	7.890	6.765

Funding allocations related to the High and Complex Needs Interagency Strategy

At the same meeting, Cabinet agreed to the reallocation of this funding for the Strategy, as outlined below:

	\$ Million, GST inclusive			
	2001/02	2002/03	2003/04	2004/05 and out-years
Vote Child, Youth and Family Services	5.565	7.590	7.590	6.465
Vote Social Policy	0.225	0.225	0.225	0.225
Vote Education	0.075	0.075	0.075	0.075
Total	5.865	7.890	7.890	6.765

Expenditure on the High and Complex Needs Interagency Strategy

Expenditure and expense transfers between years for the **Exceptions Fund** baseline (\$M, GST inclusive).

Fiscal Years	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07
Exceptions Fund baseline	4.365 ⁴	6.39	6.39	6.39	6.39	6.39
Expense transfer 02	(1.85)	+1.85				
FEBU expense transfer 2002		(4.163)	+1.913	+2.250		
MABU expense transfer 2004			(2.2)		+1.1	+1.1
Reprioritise within CYF				(2.9)	(1.04)	
MABU expense transfer 2006						(0.8)
Total	4.365	8.24	8.303	5.74	6.45	6.69
Actual Expenditure	2.133	4.093	5.086	5.389		

Expenditure and expense transfers between years for the **Joint Services Response Fund** baseline (\$M, GST inclusive).

Fiscal Years	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07
JSR Fund baseline	1.125	1.125	1.125	0	0	
Expense transfer 02	(0.6)	+0.6				
FEBU expense transfer 2002	(0.348)	+0.348				
Expense Transfer 2003		(1.266)	+0.633	+0.633		
MABU expense transfer 2004			(0.590)	+0.415	+0.175	
MABU expense transfer 2006						0.8
Total	0.177	0.807	1.168	1.048	0.175	0.8

⁴ CAB Min(01)12/6(41)