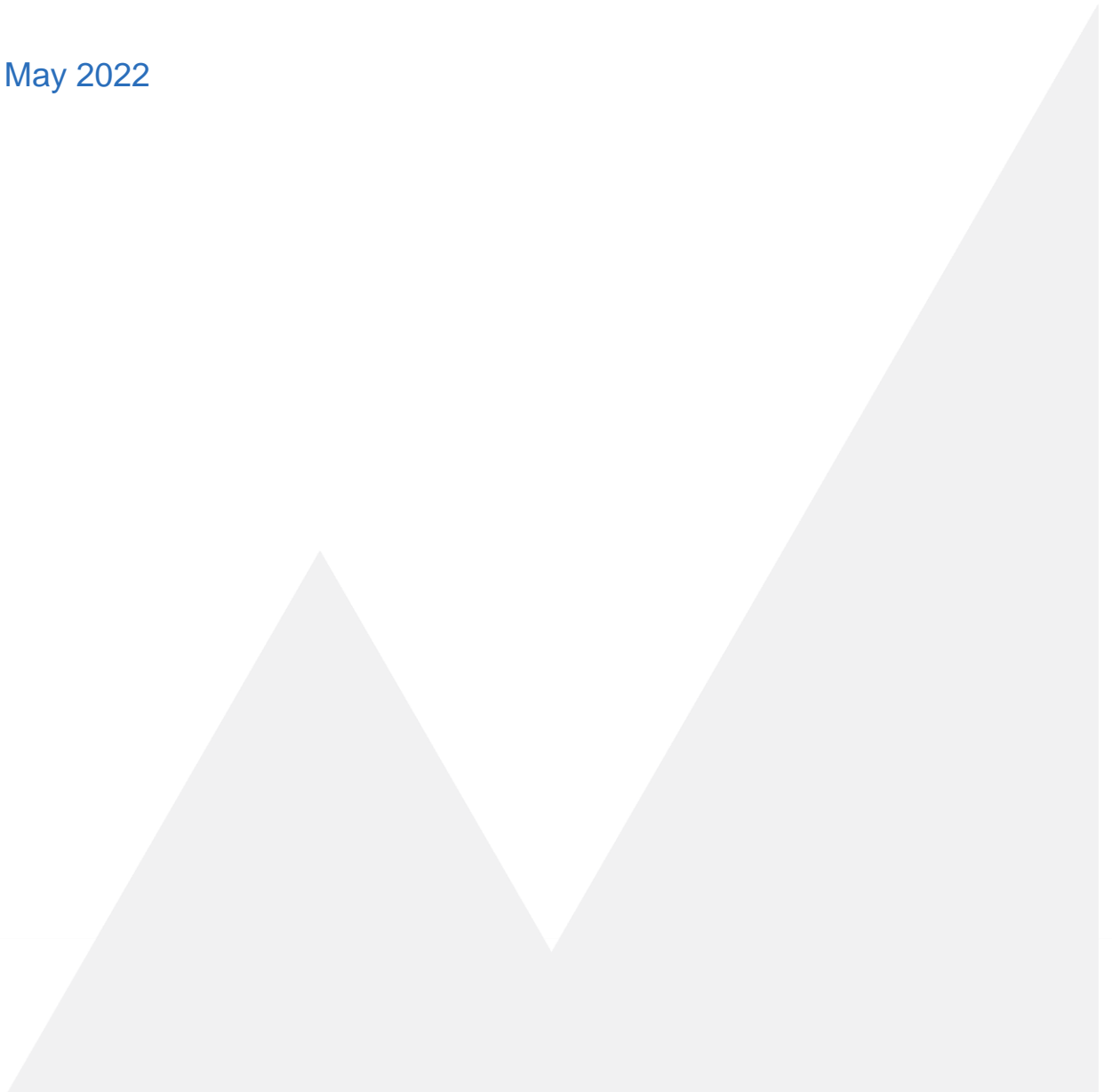




Terms of Reference for the Te Kahu Tōi Panels

Updated May 2022



These terms of reference set out the principles that will guide decision making between key stakeholders across the Education Sector: The Ministry of Education; Resource Teachers, Learning and Behaviour; and local Principal representatives regarding access to intensive services such as Te Kahu Tōi – Intensive Wraparound Service.

These terms of reference also set out the criteria for determining access Te Kahu Tōi – Intensive Wraparound Service.

Te Kahu Tōi – Intensive Wraparound Service

The Te Kahu Tōi – Intensive Wraparound Service is for the small number of children and young people who have behaviour, social and/or learning needs that are highly complex and challenging (and may have associated intellectual difficulty) and require support at school, at home and in the community.

The Te Kahu Tōi model has been developed for those children and young people for whom existing learning support interventions and services have been fully utilised and is unable to meet the child's needs. These children and young people are some of the most vulnerable. They are having significant difficulties staying at school and learning, and participating in home and community life. These are often the most complex and challenging child/young person, and require intensive support both in and out of school.

Purpose of the Te Kahu Tōi Panels

Te Kahu Tōi has Prioritisation Panels (panels) that cover each of the 10 Ministry areas (Tai Tokerau; Auckland; Waikato; Bay of Plenty/Waiariki, Hawkes Bay/Tairāwhiti, Taranaki, Whanganui, Manawatu; Wellington; Marlborough, Nelson, West Coast; Canterbury; Otago and Southland). The panels are responsible for considering Te Kahu Tōi applications for their education area and deciding on the applications with the highest level of need to receive a service.

The panels consider all Te Kahu Tōi applications against three broad criteria to determine the pool of young people who may benefit from intensive wraparound support. Those applications that meet the criteria are eligible to be prioritised, based on how complex and challenging the child's needs are across all contexts of home, school and community life, and the child/young persons' support requirements. The referrals with the highest need receive Te Kahu Tōi.

Panels are responsible for deciding:

- a. whether each application meets the Te Kahu Tōi criteria (Eligibility),
- b. the ranking order of highest need for those applications that meet the criteria to receive a service (Prioritisation).
- c. Providing consistent feedback or recommendations to the referrer about applications that do not meet criteria or are not deemed to be the highest need against other applications at the panel meeting.

At the panel meeting, these decisions are discussed in relation to current service capacity (the Te Kahu Tōi Service Manager brings this information to the meeting) and the referrals with the highest level of need are allocated to receive a service.

Panel membership

Each panel is made up of the following:

- A school principal who represents the education sector (e.g. representing the New Zealand Principals Federation)
- Resource Teacher: Learning and Behaviour (RTLB) Cluster Manager
- Ministry of Education representative (e.g. Service Manager, or the Performance and Practice Lead)
- Ministry of Education Practice and Implementation Advisor
- Te Kahu Tōi Service Manager (Advisory position only)
- MoE Business Support person (Administration support position)

The representatives on the panel bring different perspectives, knowledge, experience and expertise. Collectively, each panel has sound knowledge of:

- supporting young people with complex and challenging needs in home, education and community settings
- the range of education and social services provided in their education areas
- the range of services for young people with complex needs and how these relate to and are distinct from Te Kahu Tōi
- Te Kahu Tōi its purpose, the specific support the service provides, how it is distinct from other services and the group of young people the services targets.

NB: This is the *collective expertise* required for each panel. It is not necessary for each panel member to bring this range of knowledge and skill.

The school Principal, the RTLB Cluster Manager and one Ministry of Education representative (Service Manager or Performance and Quality Lead) have the decision-making roles (3 voting members) when applying the Te Kahu Tōi criteria and deciding on the ranking order of highest need for all the applications that meet the three criteria.

Roles and responsibilities of panel members

ADVISORY ROLES

Chairperson (Non-Voting)

The Chairperson of the panel can be delegated by the Manager Learning Support. They are responsible for coordinating the meeting dates for the Prioritisation Panels across their education areas and a Business Support person may have delegated responsibilities in assisting the Panel Chairperson in the receipt and distribution of applications to panel members.

The Panel Chairperson is usually a person within the Ministry of Education who has knowledge of services and best practice within the Ministry and across the education sector. This could be the Performance and Quality Lead, Service Manager or Manager Learning Support. The Panel Chair is responsible for running the process: The chair is a neutral, nonvoting member of the panel.

Specific responsibilities are:

- Receive applications from referrers (after they have been signed off by the Manager Learning Support or delegate) and distribute all applications to panel members a week prior to the panel meeting
- Facilitate panel meetings and ensure the protocols outlined on page 5 of these Terms of Reference are followed
- Contribute to discussion about applications in ***an advisory capacity only***
- Record panel decisions
- Communicate the outcome of applications to referrers
- Manage panel membership (see page 3)
- Provide panel members (particularly new members) with information about their role and be available to answer questions and support panel members in their role.

Te Kahu Tōi Service Manager (Non-Voting)

This role is an advisory position on the panel. Specific responsibilities are:

- Receive and read applications prior to the panel meeting (each region has their own Mailbox).
- Attend panel meetings and contribute to discussion about the applications in an advisory capacity only.
- Provide current information about the Te Kahu Tōi service capacity to the Panel Chair (the number of referrals that can be allocated to receive a service at that time).

Practice and Implementation Advisor (Non-Voting)

This role is an advisory position on the panel. Specific responsibilities are:

- Receive and read applications prior to the panel meeting.
- Attend panel meetings and contribute to discussion about the applications in an advisory capacity only.
- Indicate whether local supports and resources have been fully utilised and through ecological assessment match previous interventions and resources provided. The Practice and Implementation Advisor may be asked to provide feedback to the Managers Learning Support where additional practice support may be needed.

Other Agency Representative (Non-Voting)

Other agency representatives can be helpful in representing children/young people who are receiving their service (such as the Ministry of Vulnerable Children, Oranga Tamariki or Child, Adolescent, Mental Health Services) and membership from other agencies will be at the discretion of local Te Kahu Tōi Panels. This role is an advisory position on the panel. Specific responsibilities are:

- Receive and read applications prior to the panel meeting.
- Attend panel meetings and contribute to discussion about the applications in an advisory capacity only.
- Provide advice to the panel whether local supports and resources have been fully utilised.

VOTING MEMBERS

Principal and RTLB Cluster Manager (Voting)

These are the decision-making members of the panel. Specific responsibilities are:

- Receive and read applications prior to the panel meeting
- Attend panel meetings and contribute to discussion about each application
- Make decisions about whether each application meets the criteria and decide on the ranking order of highest need for applications to receive Te Kahu Tōi.

Ministry of Education vote (Service Manager, Performance Quality Lead or other delegate) (Voting)

These are the decision-making members of the panel. Specific responsibilities are:

- Receive and read applications prior to the panel meeting
- Attend panel meetings and contribute to discussion about each application
- Make decisions about whether each application meets the criteria and decide on the ranking order of highest need for applications to receive Te Kahu Tōi.

Managing panel membership

The Chairperson of the Te Kahu Tōi Prioritization Panel is responsible for managing panel membership. The Ministry Business Support person may have delegated responsibilities in assisting the Chairperson in the identification of new panel members as required. It is recommended that:

- panel members remain on the panel for approximately two years
- when panel membership changes, this is done one member at a time per term to ensure new members have an 'induction' period with experienced panel members
- the regional RTLB Cluster Manager forum is consulted about putting forward new RTLB Cluster Manager representatives

- the Ministry Manager Learning Support is consulted about:
 - putting forward new Ministry representatives
 - an appropriate process for selecting a principal representative

Each panel considers factors such as geographical representation and primary/secondary representation when recruiting and selecting panel members.

Each panel meets at least once per school term (quarterly). The Panel Chairperson is responsible for deciding on the frequency and schedule of meetings.

Meetings may be held in person or by telephone/video conference/ teams as best meets the needs of the region.

Meeting protocols

All panel members read the applications prior to the meeting. It is recommended that panel members flag or highlight pertinent information in the application, or information that they would like to discuss and clarify with the panel. All information, applications and discussion are **CONFIDENTIAL** to the panel members and will not be shared with any parties outside of this forum.

All applications are discussed at the meeting to reach decisions about whether the Te Kahu Tōi criteria have been met. Those applications that meet the criteria will be discussed in greater detail to decide on their ranking order of highest need to receive service.

Panel meetings use robust professional discussion, where people's observations and interpretations of the applications are shared with and tested by the group. When discussing each application, the panel will air and discuss any different perspectives and attempt to move toward a shared view.

Panel discussion and decisions are based on the information provided in the Te Kahu Tōi application. Where an application has considerable missing or unclear information, the panel may conclude that there is **insufficient information** to adequately discuss the application and make decisions. This can be fed back to the referrer with a request to strengthen the application and re-apply.

If a panel member has information about a referral that is not included in the application (e.g. they have worked with the family in the past) and they believe this information is directly relevant to the panel's discussion, they may contribute this information at the meeting. It is the Panel Chairperson's role to ensure that this **additional information does not unduly advantage or disadvantage the application** being discussed and the other applications being considered at that meeting.

Panel members are required to **identify and declare any conflicts of interest** they have with an application (e.g., an application for a child/young person who attends the principal representative's school). Conflicts of interest will be raised with the Panel Chairperson prior to or at the panel meeting. Where the panel agrees there is a conflict of interest, the panel member with the conflict will refrain from participating in the discussion or decision-making for that application.

Panel members in **advisory positions can contribute** equally to the discussion about applications, offering their analysis and views on the cases; however, **they do not make decisions** on whether applications meet Te Kahu Tōi criteria or on the ranking order of highest need for receiving a service.

The decision-making members of the panel use consensus decision-making when applying the Te Kahu Tōi criteria for each application and when deciding on the ranking order of highest need of applications.

A quorum will be the meeting Chair and a minimum of two decision-making panel members.

Managing panel meeting information

Decisions made about each application and any action points will be recorded by the Panel Chairperson. MoE Business Support person may have delegated responsibilities in assisting the Panel Chairperson in recording panel minutes, decisions and informing referrers of panel outcomes.

All Te Kahu Tōi applications and supporting documentation will be password protected if being shared by email.

Communicating panel outcomes/decisions

The Te Kahu Tōi Panel Chairperson is responsible for communicating the outcome of the application to the referrer. The Ministry Business Support person may have delegated responsibilities in assisting the Panel Chairperson in recording panel minutes, decisions and informing referrers of panel outcomes.

Following the meeting, the Chair uses the provided letter templates to communicate the outcomes with referrers. All letters should be reviewed by the Te Kahu Tōi Service Manager. The Panel Chair is responsible for sending the emails about the outcome of their application. The email says whether the child/young person is eligible and has been prioritised to receive Te Kahu Tōi or not. The email is copied to the referrer's manager, the Ministry Manager or representative.

Principles to guide decision-making

Principles and criteria are needed to guide joint decision-making, and to help determine what specialist supports may be needed to adequately support the young person's education, social and behavioural needs.

The following principles will be used to guide decision-making:

- a. The wellbeing of the young person is paramount
- b. The principles of Te Tiriti o Waitangi are fundamental to achieving the best education and social outcomes for tamariki Māori and their whānau.
- c. The voice of the young person is central
- d. The United Nations Convention on the Rights of the Child (UNCRC) and the Convention on the Rights of Persons with Disabilities (CRPD) are considered
- e. Discussions will enhance the cultural identity and self-efficacy of the young person
- f. The voice of the family and whānau is taken into account in all decision making
- g. Young people's strengths and potential will be maximised, and pro-social behaviours developed

Criteria for determining if Te Kahu Tōi – Intensive Wraparound Service would be suitable to meet the young person's needs

The following three criteria must be met and will help determine if the Ministry's Te Kahu Tōi - Intensive Wraparound Service is the best option to meet the young person's complex learning, social and behavioural needs.

The three criteria are:

1. *the young person must be between the ages of 0-15 years (years 0-10)*
2. *the young person has behavioural, social and/or learning needs that are highly complex and challenging (and may have associated intellectual difficulty) and requires support at school*
3. *Local learning support services have been fully utilised for the young person and family and are unable to meet need.*

Applying the Te Kahu Tōi criteria

When applying the criteria, refer to the prompts below.

Criteria 1

The child/young person is in **Year 0 to Year 10** at time of referral. Panels can have flexibility to consider children younger than 5 years who are transitioning into school, where criterion 2 and 3 have been clearly met. Data for those

prioritised in this younger age group will be recorded and monitored by the Te Kahu Tōi Service Managers with the intention of gaining information regarding capacity and suitability of Wraparound for this age group.

Criteria 2

The child/young person has behaviour, social and/or learning needs that are **highly complex and challenging** (and may have associated intellectual difficulty) and requires support at school, at home, and in the community.

Prompts for panel members:

- h. Is there evidence that intensive support is required at school, at home, and in the community?
- i. Is there evidence the child's needs have been challenging to manage and support over an extended period of time?
- j. Is there evidence that the child's needs are significantly impacting on their engagement and participation in the classroom, at school, at home, and in the community?
- k. Is there evidence that the child's needs are impacting on their family/whānau, school and community?

Criteria 3

Local learning support services/support have been fully utilised for the child/young person and are unable to meet need.

Prompts for panel members:

- a. Is there evidence that all available interventions that the child is eligible for have been fully explored and accessed?
- b. Is there evidence that the child/young person's needs are ongoing despite appropriate interventions being planned and implemented?
- c. Have local interventions been provided for an appropriate length of time to fully assess need and begin implementing a programme?
- d. If a local service provider has been working with a young person for less than 6 months, is it clear a more intensive service is required?

If the panel agrees that an application does not meet all three criteria, it is not necessary to review that application any further or decide on a ranking order of highest need order for it in relation to the other applications.

Deciding on the ranking order of applications

When deciding on the ranking order of highest need for applications to receive Te Kahu Tōi, consider the following prompts. Please note, the factors below are not presented in any particular order and there is considerable interaction between factors.

Age of child

Consider the child's age:

- a. Is the child young (i.e., 5 or 6 years) with a particularly challenging/complex presentation? To what extent is Te Kahu Tōi an opportunity to intervene early for a young person who appears to be on an anti-social pathway?
- b. Is the child at the upper end of the Te Kahu Tōi age limit (i.e., 14 years) and have they received support for some time that has not had reasonable impact? To what extent is Te Kahu Tōi a "last opportunity" to provide intensive support?

Context for ecological intervention (home and school)

Consider the home, school and community contexts that the child is in and that Te Kahu Tōi would be intervening in:

- a. What is the relationship between the child and the home environment? In what ways is the home context impacting on the child and their needs? E.g., consider parenting style and match with child's needs.
- b. What is the relationship between the child and the education setting? In what ways is the education/school context impacting on the child and their needs? E.g., consider whether the education setting is demonstrating inclusive attitudes and practices.
- c. To what extent is there capacity and willingness in the home environment to respond to a wraparound intervention, i.e. for young people with care and protection needs, is there a home placement?
- d. To what extent is there capacity and willingness in the school environment to respond to a wraparound intervention, i.e. is the education setting showing willingness to include and support the young person?

Young person's needs in relation to the service

Consider whether Te Kahu Tōi is the most appropriate service for meeting the needs of the child.

- a. Would the child's needs be better met by a different special education service?
- b. If possible, identify the child's main need/s and ensure this aligns with the purpose and remit of Te Kahu Tōi.
- c. If the child has care and protection needs, significant mental health concerns or requires a crisis intervention is an appropriate agency involved to meet these needs?

Extent and impact of need

Consider the nature and severity of the child's needs:

- a. Some specific factors to consider:
 - i. frequency, severity and duration of behaviour
 - ii. learning levels and gaps (i.e., learning levels in relation to peers or age-related expectations)
 - iii. possible underlying causes of complex needs (e.g., conduct disorder, trauma, intellectual disability)
 - iv. social skills and relationships with peers and adults
 - v. connection to and relationships with whānau
 - vi. cognitive and executive functioning
 - vii. language and communication skills
 - viii. mental health concerns.
- b. How are the child's needs significantly impacting on their wellbeing? What is the impact on their engagement and participation in the classroom, at school, at home, and in the community? (E.g., participation in preferred activities in and out of school, family functioning, ability to access learning in the classroom, relationships and belonging to social groups, and awareness of danger to self and others)
- c. How are the child's needs significantly impacting on their family/whānau, school and community? Try putting yourself in the shoes of the child, parents, teacher and others.
- d. To what extent are the child's needs going unmet despite the support that is currently in place?

Risk of not intervening

Consider the level of risk conveyed in the application and the risk to the child and to others of not intervening.

- a. Are there 'red flag' or high-risk factors in the application that were already occurring or that could occur if an intervention was not put in place, such as:
 - i. offending
 - ii. exclusion from school (where there had been a history of standdowns/exclusion and the current school was showing willingness to support the child/young person)
 - iii. a clear indication the child is on an antisocial pathway of development
 - iv. serious harm to the child or others.

Where agreement is not reached

When the Panel members cannot agree on whether Te Kahu Tōi is the best option to meet the young person's complex learning, social and behaviour needs, the Panel may consider a majority vote.

Outcomes and recommendations from the Panel meeting will be recorded and saved by the Ministry of Education and circulated to the Panel members for their records.

Information will be shared in keeping with the Privacy Act 1993.

Panel decision review process

As with all Ministry Learning Support services, the [Ministry's complaint procedure](#) also applies to Te Kahu Tōi.

Requests for a review of a panel's decision are directed to the Manager Learning Support or nominated delegate. If the Manager Learning Support believes the decision should be reviewed, they pass the request to the Panel Chairperson who will reconvene the Panel to conduct the review.

The Panel Chairperson is responsible for re-conveying the panel to review the decisions made. The panel re-considers the applications from that meeting and provides advice on whether they wish to revise any decisions about criteria or ranking order of highest need for the application being reviewed. The Panel Chairperson is responsible for feeding back the outcome of the review process to the referrer and Manager Learning Support or nominated delegate.

If the referrer wants the decision reviewed further, this process will be managed by the Te Kahu Tōi National Manager. This review will be carried out by a new panel of representatives who were not involved in making the original decision.

The new panel will be provided with the application being reviewed, and the other applications that were considered alongside it and the previous panel's decisions. The new panel will conduct their review and report to the Te Kahu Tōi National Manager, indicating whether the panel decisions were reasonable, given the Te Kahu Tōi criteria and the range of applications reviewed on the day.

The Te Kahu Tōi National Manager is responsible for considering the reviewer feedback and making a final decision about the outcome of the review. The decision and rationale will be communicated in writing to the referrer and their manager. The decision and rationale will also be communicated to the original panel.

Desk file: Te Kahu Tōi Panels

Our Purpose and Roles	Our Responsibilities	How we Operate
<p>Purpose of the Te Kahu Tōi Panels The panels consider all Te Kahu Tōi applications against three broad criteria to determine the pool of young people who may benefit from intensive wraparound support. Those applications that meet the criteria, are then ranked, based on how complex and challenging the child's needs are across all contexts of home, school and community life, and the child/young persons' support requirements. The highest-ranking referrals are prioritized to receive Te Kahu Tōi. At the panel meeting, these decisions are discussed in relation to current service capacity (the Te Kahu Tōi Service Manager brings this information to the meeting) and the referrals with the highest level of need are allocated to receive a service.</p> <p>Membership Each of the Prioritization Panels will consist of the following representatives:</p> <ol style="list-style-type: none"> 1. Principal 2. RTLB Manager 3. Ministry of Education Manager or delegate <p>Advisory members:</p> <ol style="list-style-type: none"> 4. Te Kahu Tōi – Intensive Wraparound Service Manager 5. Performance, Quality Lead – Learning support. <p>Representatives from other agencies or organizations can be invited to attend where appropriate or desired by the regional panel.</p> <p>The membership of the group needs to ensure diversity of thought by covering the following perspectives:</p> <ul style="list-style-type: none"> • What is important for tamariki/rangatahi Māori and their whanau. <p>At a minimum 2 voting representatives and the Chair are required to be in attendance of each meeting to be able to make recommendations on service provision.</p>	<p>Responsibilities of Te Kahu Tōi Panels Panels are responsible for deciding:</p> <ul style="list-style-type: none"> • whether each application meets the 3 Te Kahu Tōi criteria (eligibility) • the rank order of highest need for applications that are prioritized to receive a service (prioritization). • Providing consistent feedback or recommendations to the referrer about applications that do not meet criteria or are not ranked as having the highest needs at the panel meeting. <p>Principles that guide decision making Principles and criteria are needed to guide joint decision-making, and to help determine what specialist supports may be needed to adequately support the young person's education, social and behavioural needs.</p> <ol style="list-style-type: none"> a. The wellbeing of the young person is paramount b. The principles of Te Tiriti o Waitangi are fundamental to achieving the best education and social outcomes for tamariki Māori and their whānau. c. The voice of the young person is central d. The United Nations Convention on the Rights of the Child (UNCRC) and the Convention on the Rights of Persons with Disabilities (CRPD) are considered e. Discussions will enhance the cultural identity and self-efficiency of the young person f. The voice of the family and whānau is taken into account in all decision making g. Young people's strengths and potential will be maximised, and pro-social behaviours developed 	<p>Administration The Panel Chairperson will act as secretariat for the panel with the support of a delegated MoE Business Support person.</p> <p>Frequency of meeting Each Panel will meet at least once per school term. Additional meetings can be set where there is a high level of applications being submitted.</p> <p>Applications The application forms for Te Kahu Tōi- Intensive Wraparound Service will be submitted by the referrers to the regions Intensive Services Mailbox (owned by Te Kahu Tōi Service Managers). The Chair's Business Support person distributes applications to the panel members one week to 10 days prior to the meeting date.</p> <p>Minutes The minutes will record key discussion points, outcomes and recommendations Outcomes and recommendations will be communicated to the referrer by the Ministry of Education The minutes will be circulated for feedback within two working days of the meeting being held Copies of the minutes and decision letters will be held by the Ministry of Education within a restricted access folder.</p> <p>Conflicts of interest All panel members are responsible for declaring any actual, potential, or perceived conflicts of interest. Where conflict of interest arises or exists, or is reasonably perceived to exist, the remaining members decide whether the member having disclosed the interest:</p> <ul style="list-style-type: none"> • will participate in the discussion • will remain in the meeting but not participate • will leave the meeting



We **shape** an **education** system that delivers
equitable and **excellent outcomes**

He mea **tārai** e mātou te **mātauranga**
kia **rangatira** ai, kia **mana taurite** ai ōna **huanga**