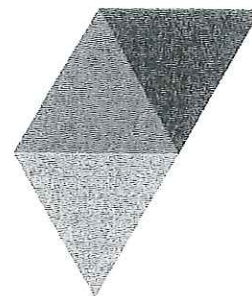


17 OCT 2016



BRIEFING NOTE



Ministry comment prepared in response to
the 10 October 2016 submission from the
Redcliffs Board of Trustees.

Date:	14 October 2016	Priority:	High
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Approved by:	Katrina Casey	DDI:	021 539 640

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17/10

Purpose of Report

1. The purpose of this document is to provide the Ministry's comments on the Board of Trustees of Redcliffs School's response to the Education Report (METIS 1026860) entitled 'Feasibility and Psychosocial Investigation for Redcliffs School'.
2. We can also confirm that having considered the response from the Board, and after taking further legal advice, we see no reason to change our recommendation to you as provided in the above report.

Background

3. The Ministry and Board of Trustees of Redcliffs School have worked together to carry out:
 - A further investigation into the potential psychosocial implications for children attending school at the Main Road site with the proposed mitigation measures in place; and
 - A feasibility analysis on whether relocation within a suitable timeframe to another site within the Redcliffs community is likely to be a realistic option.
4. The Board had the opportunity to consider the technical and expert reports, and to give feedback on these prior to their finalisation.
5. On 28 September 2016, the Board was provided with a partial draft of the Ministry's Education Report to you on the results of these investigations (METIS 1026860 refers). The Board was informed that, in accordance with the constitutional conventions relating to the confidentiality of advice, parts of the report that related directly to the Ministry's recommendation had been withheld.
6. The Ministry met with the Board on 30 September 2016 and the Board provided feedback on the draft report. Amendments were made to the report as a result of that feedback. On 5 October, the Board was provided with the final Education Report that had been provided to you on 4 October, with the recommendations and some content again withheld as above.

7. The Board was given the opportunity to provide a written response to the Education Report. Its response was provided to you in full on 11 October 2016.

Return to the Main Road site

8. The following summary is not intended to be a full statement of the Board's position, or the points which it wishes you to consider, as the Board's full response has been provided to you.
9. The Board strongly favours a return to the Main Road site, as soon as possible. It says in its response: "The Board's view is based on the fact that there are no objective reasons why the school should not return to the Main Road site. The psychosocial assessments comprehensively conclude that issues relating to the site are minor and can be managed by the Board, school management team and staff, and the school community." The Board sets out in an appendix (Appendix 1) some of the steps the school would take to mitigate psychosocial risk if the school returned to the Main Road site.
10. The Board states that it and the wider Redcliffs community have demonstrated overwhelming support for Redcliffs School and its place in the Redcliffs community. The Board remains committed to providing a level of engagement which will ensure a positive and vibrant return of the school to its Main Road site for the long term.
11. The Board sets out a proposal which it says would allow a return to the Main Road site in as little as five months, with significantly lower costs to the Crown.
12. The Board's proposal is that the school return to the Main Road site as soon as the bund is constructed, using the remaining buildings on site to operate the school, without an immediate need for major renovations or development. The Board proposes that in the near future, a master planning process be established to allow for further development to accommodate anticipated future roll growth.
13. The Board considers that this proposal will provide certainty for the school community, significantly reduce the time required to return to the Main Road site, and will be the least costly outcome for the Crown.
14. The Board's view is that this will give the community a short term return to site combined with a medium term programme of rejuvenation to participate in and look forward to.
15. This proposal was discussed at the meeting with the Board on 30 September, and as an action from the meeting the Ministry agreed to consider including commentary on this option in the draft Education Report. For the reasons set out in the Report, and in particular at paragraphs 113 to 117, this is not an option preferred by the Ministry.
16. The Board has asked that you give serious consideration to this option.

The Board's Complaints about the Process

17. The Board states that the investigation process has been deficient, and has been amended whilst underway.
18. The process of the investigation was developed with input from the Board, as outlined in the Report. The findings of the investigation were, as would be expected, not known at the start, and therefore decisions had to be made about how to progress as findings emerged. The Ministry considers that it was appropriate and reasonable for some elements of the process to be amended while this was underway, as this allowed the flexibility required to consider and respond to the findings as these became known. The Ministry has worked closely with the Steering Group throughout, and technical and expert reports have been shared during the process.
19. The Ministry recognises that the Board would prefer that your decision be an interim decision, and acknowledges that the wider community has not been closely engaged in the investigation process as it has developed. The Ministry has informed the Board that an 'interim decision' process is not required for a decision about where the school should be located. An 'interim decision' followed by a further round of consultation would extend the current uncertainty for the school and delay the implementation of your decision.
20. The Ministry acknowledges that the wider community has been actively involved in responding to your decisions about the next steps for Redcliffs School. Recommendation i and paragraphs 147 – 149 of the Education Report outline the Ministry's advice that the community be involved in developing the plan for the school if your decision is that the school should relocate. The Board's concern that the wider community may also have views about the suitability of the Redcliffs Park site for a school can be expected to be accommodated through the Council's planning processes.
21. The Ministry will also publish the Education Report and supporting appendices (there may be some redactions for reasons of commercial sensitivity) on the Shaping Education website following your decision.

Other Matters Raised by the Board

22. The Board states that it is concerned that the Ministry has had a clear bias towards relocation, and considers that the Report is biased. The Board asks the Minister to put aside any preconceived assumptions about the Main Road site when assessing the Report and when making decisions about the future of the school's relocation.
23. The Board expresses concern that the Ministry has not portrayed the outcome of the psychosocial reports fairly in the Education Report. The Ministry does not accept that concern, but the full reports of the experts have been provided for your consideration.
24. The Board notes that Ministry staff acknowledged that the Redcliffs Park C site may require some form of rockfall mitigation. In paragraph 88 (which was released to the Board) the Ministry referenced the recommendation in the second property report that the whole of Redcliffs Park be acquired. Further analysis would be undertaken on the optimal location for school infrastructure, and this would enable a location to be selected that would not require any rockfall mitigation works.

25. It is important to clarify that 'rockfall mitigation work' does not necessarily mean the construction of a bund. In the case of Redcliffs Park C, it is more likely that a quantitative rockfall analysis would be required. This analysis would confirm the position of the 10-6 AIFL (Annual Individual Fatality Line) subsequent to the mitigation work undertaken by NZTA/CCC. Although it is understood that the 10-6 AIFL will retreat away from the Redcliffs Park C site, this analysis would confirm the extent of that movement. This analysis may also confirm that no further mitigation works are necessary due to the distance between the Redcliffs Park C site and new position of the 10-6 AIFL, should site C be preferred.
26. The Board expresses concern that the Ministry began the arrangements for a psychosocial assessment of Redcliffs Park. The Ministry had mistakenly understood that the Board wanted a psychosocial assessment of any potential alternative sites to be conducted. While the Ministry did not consider that such an investigation was warranted, once a preferred alternative site had been identified and investigated, the Ministry began to arrange for a psychosocial investigation to be undertaken.
27. In response to information about the proposed site visit, the Board stated 'We are not sure where the proposal has come from to ask the psychosocial experts to do a site visit of the alternative sites'. The Ministry subsequently cancelled arrangements for the investigation. The Board states that this was 'without further discussion with the Board'. The Ministry did not believe any further discussion was necessary, given that the Ministry was responding directly to the Board's feedback in cancelling the visit.
28. The Board states that the Ministry has 'embarked on some comparative analysis relating to costings and flood and tsunami risks very late in the process'. The costings information was obtained 'late in the process' because costings could not be undertaken without knowledge of the alternative sites, and this was not known until the property report had been completed. The Board's technical adviser, Nick Harwood, was invited to provide feedback on the property report. The 'comparative assessment relating to... flood and tsunami risk' was in response to Nick Harwood's comments on the first Property Report.
29. The Board outlines a number of areas in which it disagrees with the costs provided to you by the Ministry for a partial rebuild. While the Ministry has provided you with costings for a partial rebuild, its preference is for a full rebuild, regardless of whether this is on the Main Road site or an alternative site. The Ministry believes this is a better investment of Crown funds in the long term, because it would allow the design and build of learning spaces to better meet future teaching and learning needs, and (in the case of the Main Road site) would best mitigate the restricted site size.
30. The Ministry acknowledges the fact that this would be more costly, and would take longer, than a partial rebuild. The costings demonstrate only an approximate level of difference, so while the Ministry does not agree with the Board's cost assessments, disagreements about the detail of cost items in the overall costings seem to be of limited significance. A more detailed response on each cost item challenged by the Board can be provided if required.

The Board's requested conditions if relocation is to occur

31. The Board has set out in the conclusion to its response "critical conditions" which it believes need to be confirmed, if your decision is to locate the school on an alternative site. The Ministry's response to these are set out below each condition:

- a. **"To have certainty that a replacement school at an acceptable alternative site will be achieved. The community would need to be provided with as much information as possible to give certainty that a school at an alternative site will be achieved. We also request the Minister indicate whether the Government intends to expedite the process using any legislative options which may be available."**

The detailed analysis undertaken to date indicates that there are multiple suitable sites on Redcliffs Park for the relocation of the school, and the feasibility study has concluded that relocation is likely to be feasible. Certainty of acquisition can only be finally confirmed when the acquisition process is completed, if that were your decision.

The Ministry intends to seek specialist advice from lawyers specialising in acquiring reserve land in a Christchurch context on whether there are legislative options that would accelerate the site acquisition process. We will update you with a revised timeline if an alternative acquisition mechanism is able to be used.

- b. **"To have certainty by way of a clear undertaking from the Ministry that the Main Road site will not be disposed of before an acceptable alternative site is definitively acquired so that the option of returning to the Main Road site is preserved in the meantime."**

The Ministry concurs with the Board's view that the Main Road site should be retained pending completion of the acquisition process, and recommendation j in the Education Report advises you that if your decision is that Redcliffs School should relocate, the Ministry intends to retain the Main Road site until Redcliffs Park has been successfully acquired.

- c. **"To have a clear and reasonable time-frame within which the school will be established on an alternative site."**

The Ministry agrees with the Board that this is important. A detailed indicative timeframe is included in the Education Report, and this was released to the Board. The Board would be kept informed as the steps and dates in this document became more defined.

- d. **"To be provided with necessary undertakings/confirmation from the Ministry as to the specific financial support which Redcliffs School will be provided with to enable it to remain a vibrant and thriving school at Van Asch in the meantime. As an absolute minimum the Board believes that the level of funding received by the school for the 2016 year should be confirmed as the base level of funding for the school while it remains at Van Asch until it returns to another site."**

Redcliffs School submitted a request for a review of its provisional staffing on 28 September 2016, and requested that the staffing roll remain at its 2016 level (13.53 FTTEs) for 2017 even though the roll has dropped. Based on its provisional 2017 roll it had been calculated that the school would be entitled to 9.2 FTTEs. Two FTTEs special reasons staffing have been approved for the school for 2017, and following the outcome of the provisional staffing review it is our intention to provide additional resourcing up to their 2016 level. This will be effective for the 2017 school year, at the end of which we will work with the Board to consider an appropriate level of resourcing going forward.

32. Once your decision is known, the Ministry will work closely with the school to ensure the site sharing arrangements remain appropriate for both Redcliffs School and Van Asch. A meeting is scheduled for Friday 14 October between the Ministry and the principal of Redcliffs School to discuss how spaces may be able to be configured or altered to allow for the prototyping of collaborative teaching.