



St Paul's School
102 Champion St
Edgeware
Christchurch 8013

ph: (03) 389 4665
cell: 021 222 2742

www.saintpauls.school.nz

FINAL ROUND SUBMISSION

16TH December 2013

Dear Yvonne

The Board of Trustees of St Pauls School have fully considered both options from the Final Round of Consultation document dated 29th October 2013, and believe there are advantages in both options.

Option A – has the benefit of a fresh start for the new school with the best staff available. It may avoid some of the difficulties that often occur when 2 entities merge. This option also allows for Voluntary Redundancy.

Option B – allows for more certainty for the staff with permanent positions being carried over to the new school. This will give earlier certainty to the new school community with regards to the teaching staff at Saint Francis of Assisi.

The Board members are in agreement that they can work with either option as presented in the consultation document. We will fully support the final decision made by the proprietor.

The Board of Trustees have three areas that they would like addressed:

1. Transition Board – should be established up to 12 months before the opening of the new school so that the vision, strategic plan and principal appointment can be organised in a timely manner. It would be important that the board representation is chosen to reflect the new schools community as a whole.
2. School Reserves – all funds remaining at the end of 2015 should be given to new school and not absorbed into consolidated funds
3. Voluntary Redundancy – to be added to Option B. This would allow teachers who felt threatened by new pedagogy and modern learning environments, to take voluntary redundancy.

Staff views are being gathered by Yvonne Preece. The Board acknowledges the difficult position the staff are in and is aware of the impact this process has had on staff morale. The Board fully supports the staff and has total confidence they will all support the final decision of the proprietor.

St Paul's Board of Trustees and staff consider that the consultation process has been extensive and can see no benefit in any further consultation.

We look forward to a decision at your earliest convenience so we can begin to look forward and plan the new school of Saint Francis of Assisi.

Yours faithfully

Gerry Hassan
Chairperson St Pauls school Board of Trustees
On behalf of the Board of Trustees

Board of Trustees of Our Lady of Fatima School Response to the Bishop's Third Round of Consultation

16 December 2013

In considering its response to this third and final round of consultation to the Bishop's proposal to bring Our Lady of Fatima and St Paul's schools together, the Board has been guided by two driving principles:

1. a desire to achieve the Bishop's vision of one parish school that builds upon the best practices and strengths of both Our Lady of Fatima School and St Paul's School, and which reflects and values the contributions of those who have worked in these schools over the years.
2. the need to conduct itself as a good employer, to promote and respect the rights of its employees, and to express its confidence and gratitude to its staff for their contribution to this school. It is the people within a school who create the successes and attributes of the school. The retention of those people is an integral part of achieving the Bishop's desire.

The Board received a summary of the position of its staff in relation to this consultation, and has formed this response in light of the views of the majority of the staff. We acknowledge the tremendous integrity of our staff and the commitment they have shown to this long consultation, and we support them fully in their desire to see a better solution to the current problem than the options before us could provide.

Accordingly, the Board of Our Lady of Fatima cannot support either of the options presented in this round of consultation.

The ideal outcome to this consultation is one that all parties - the schools, the Bishop, the Ministry and NZEI - can endorse. We know this is the desire of the Bishop. It is the view of both the Our Lady of Fatima Board and staff that with time and a will from all parties that can be achieved. This consultation both in its design and its timeframe has not been supportive of that outcome, but we remain committed to that path and have the energy to seek the solution.

The Proprietor's representatives present at the meeting to discuss this response support the view of the Board and staff to seek a solution beyond the options before them in this consultation but cannot endorse the solution put forward by this response.

Option A

In minds of the Board of Our Lady of Fatima, this option represents the destruction and loss of both schools, an idea that is anathema to the Bishop's original vision, and an outcome that we consider to be a failure of this process and a repugnant result. A new future is before us, but it should rest on the strong foundations of what has come before.

Additionally, under this option, there is no preservation of the staff that has served both communities so well. All jobs are cast to the open market. Valuable and committed staff may be lost, and with them, much of what has defined the special characters of both schools.

We turn to the Bishop's own words when he spoke of his vision for the parishes, because it is from this vision that he sought a solution for his schools:

"At the turn of the new Millennium, the late Pope John Paul II, issued a clarion call to the whole Church, in the words of Our Lord as recorded in the Gospel of St Luke (Chapter 5, verse 14) to "set out into the deep!" How do we do this? How does our Diocese **prepare for the future in continuity, not rupture or break, with the past?** The Servant of God John Paul II wisely invited us to use this frame of reference: *remember the past with gratitude, to live the present with enthusiasm, and to look forward to the future with confidence*; "Jesus Christ is the same yesterday and today and for ever", as the Letter to the Hebrews assures us (Chapter 13, verse 8)."

(quoted from *Provision of Sunday Mass in the Catholic Diocese of Christchurch. Working Document*, 2010. Emphasis added)

That continuity would also be lost to our children. Many of them have suffered great hardship in the last three years. They deserve the most we can provide them, and for us, that means giving them a stable and familiar place to learn.

Finally, the Board must reject option A for legal reasons which stem from its role as the employer of the Our Lady of Fatima staff. Option A proposes to close Our Lady of Fatima School and replace it with an identically sited school providing the exact same education as currently provided, though on a larger scale. In other words, the work of our staff will continue to be needed. We have been made aware that such an arrangement lacks the genuineness that a reorganisation requires to create true redundancies. Our employees would thus be unjustifiably dismissed and entitled to seek redress against the Board. We therefore cannot support Option A and would hope the Bishop would not seek to place us in the position where we act in breach of our lawful obligations to our staff.

Option B

If Option B had been a mechanism that joined all staff of both schools together in an equal and equitable manner, Our Lady of Fatima would have supported this proposal. However, the "merger" approach only provides protection to a limited pool of staff, namely the permanent staff, excluding the principal.

To their credit, our staff have stood together and been unprepared to let their non-permanent colleagues lose their positions in furtherance of their own job security. Being asked to consult in this way, where their response has implications not just for themselves but directly for others they work with and for the staff at St Paul's, means they have been poorly treated. We acknowledge their integrity and courage.

In our role as their employers, we cannot countenance our staff being required to make this election and nor could we decide to favour one part of our staff over the other, sacrificing some for the benefit of others. Our duties extend equally to every person we employ.

Additionally, "merger" is not a legal option for state integrated schools. This has been confirmed by both NZEI and the Ministry of Education. Because "merger" inherently involves the loss of some employees' jobs, we cannot support such a mechanism because it would again mean some of our staff is being unjustifiably dismissed.

Even if we could achieve unanimity across both schools in support of this option, the advice of NZEI that any third party could object to the process, means the merger

process does not have the necessary detail or legitimacy that would allow us to support it. We must, on behalf of our staff and pupils, strive for a solution that demonstrably robust and practically applicable.

Our Response

Throughout the last two rounds of consultation, many alternative solutions have been placed upon the table by members of both schools communities. We ask that these are reviewed in light of the issues now crystallised about the two options under consultation.

The Board made a request to the Bishop for a further extension of time to this consultation to enable it, and its staff, to develop with the degree of specificity requested by the Bishop some alternative mechanisms that could see the Bishop's vision come to fruition. At the time this response was discussed and drafted, no response had been received to that request. We were thus required to put forward our best expression of our ideas but acknowledge we did not have the opportunity to resolve every aspect of them before the consultation deadline. The Bishop kindly did extend the consultation further to 20 January 2014 but that decision was not communicated till the afternoon of 16 December 2013, as the Bishop explained he had been away. Though we are grateful for that consideration, it unfortunately came too late to be of practical assistance to us or our staff.

Additionally, the Our Lady of Fatima Board and staff sought to find a common way forward with the Board and staff of St Paul's. It was our belief that a joint approach would be the way to a robust and fair solution. Unfortunately, St Paul's did not feel they could participate in such an approach at this time, although two meetings with a working group from each Board were held. St Paul's were happy with the options on the table.

In considering our proposed solution, it is important to remember that it is a mechanism only. The fulfillment of the Bishop's vision of one parish school cannot be achieved by that alone, but by the goodwill, faith and attitudes of those involved. The schools will come together as equals if each school focuses on what it is receiving (rather than worrying about what the other school might receive), what it can contribute, and how the children's best interests can be promoted.

The Our Lady of Fatima Board can only support a mechanism that ensures the jobs of every member of our staff who wishes to retain them. We would support a proposal that allowed voluntary redundancy to any of our staff that wanted it. This would have the additional advantage of providing jobs to St Paul's staff beyond that which their roll might support.

Accordingly, we seek the reinstatement of option 2. It is our preference that this would be accompanied by additional agreements to use the existing contractual provisions in Part 9 and Appendix 4 of the Primary Teachers' Collective Agreement (and the similar provisions of the support staff agreement). These become fully operative as a mechanism that ring-fences jobs within our two schools upon the consent of this Board and NZEI. This commitment was given in round 2 of this consultation and we confirm our commitment to it now.

We acknowledge that it is not a perfect mechanism, and that it requires faith in us by St Paul's that we will use it to provide permanent positions to St Paul's staff, not merely supernumerary or scale A teaching jobs only. That is our intention. The