

Appendix 3A

Taken from email

Our Lady of Fatima School
Innes Road
Christchurch

17 July 2014

Dear Minister

**Consultation on reorganisation of Catholic Schooling in Dallington/Mairehau Area,
Christchurch**

1. I formally want to thank you for conducting your own consultation on the future schooling for our children. It has been an opportunity to raise many of the underlying difficulties associated with the Bishop's proposal and recommendation.
2. We have put little focus on the serious shortcomings of the Bishop's own consultation processes, preferring to discuss how the Bishop's vision might be implemented within the parameters of the law and facts as they now are.
3. I enclose three responses. One from our Board, one from the staff and a survey response from the parents of the school.
4. By way of background to the parent survey, this was an initiative by them arising from a parent group they decided to form at the information evening the Board held. The survey was drafted, organised and promoted entirely by them and without reference to or help from the Board. I understand it was set up so that each respondent could only complete the survey once. It was provided to the Board to inform us of the views of the community. For ease of presentation of it to you, I have provided only the questions, the statistical response data and a compilation of the all comments made, rather than each of the 122 individual survey pages. The school currently has 154 families.
5. I also received a number of emails directly from parents and heard from them during an information evening we held. I have not included this source material as the views there are wholly reflected in the survey. If the Ministry wishes to see this information, I can seek permission from the relevant parents to release it. I do, however, understand that many of these parents may have written in similar terms directly to you.
6. I hope this information addresses the matters you wish to consider in determining the future of our school. If you need additional information, please let us know and we will do all we can to assist.

Yours faithfully,

Noeline Soper
Chairman
Our Lady of Fatima Board of Trustees



17 July 2014

Response by Our Lady of Fatima School Board to Minister's Consultation on Bishop's Recommendation to close both Our Lady of Fatima and St Paul's Schools

Preamble

1. The Bishop's intention has always been to see the development of a joint co-educational integrated primary school for the parish of St Francis of Assisi at 370 Innes Road. He wants this to be a school for all our children, whichever parish or school they have come from before. His original wish was to see that built with the staff who have contributed so much to the two parish schools that currently exist.
2. Our Lady of Fatima School- Its Board, staff and parent community- agree with that vision. That is reflected in the responses each has put together for the Minister's consideration. This could be the beginning of an exciting and positive educational future within the parish.
3. The Board asks that Our Lady of Fatima School be confirmed as the foundation school of the parish. By confirming this school, a method to preserve the jobs at Our Lady of Fatima School and provide a platform for St Paul's staff to transfer to the school is created. From there, the opportunity to create a combined future for us all is possible, in the interests of the long-term needs of the parish and in the best interests of our children who are at school today.

Parameters of the Consultation and the Law

4. This Ministerial consultation is based on an illegal recommendation. The Bishop asked his two schools to choose between two methods to form his new school of St Francis of Assisi. One option was a merger for which there is no legal mechanism. The other is to close both schools, the legal propriety of which is seriously jeopardised by the lack of genuineness in the closure decision and because the Bishop is attempting to use statutory provisions for purposes for which they are not intended and under which he does not have the authority to seek closure.
5. The Bishop has not sought the views of either community on whether "St Francis of Assisi School" is the necessary or proper vehicle for Catholic schooling in the parish. The Minister has not given the Bishop her agreement to the establishment of St Francis of Assisi School.

Even at round one of the consultation where the Bishop directly proposed a new school entity (formed by merger), the Minister's agreement was to "reorganise schooling"..."to achieve an amalgamation"..."by cancelling the integration agreement for St Paul's School.....and possibly a name change for Our Lady of Fatima School." (letter from Minister to Bishop dated 11 October 2012)

6. From the second round of consultation onwards, the Bishop has consulted on the staffing structure for St Francis of Assisi School. Each of the affected school communities has favoured an outcome that provides more job security to their own staff. For St Paul's School this is a "merger". For Our Lady of Fatima School this requires them to be the foundation school for the parish. It is clear both schools value their staff and their role in the teaching and learning relationships of the children. That is also the clearest message reflected in our community's own survey.
7. This consultation began as a way to find a "home" for St Paul's School, whose land and buildings had been lost due to earthquake damage. The Bishop wished to bring the best of his two strong and successful schools together as the foundation for the parish school of very new parish of St Francis of Assisi.
8. Our Lady of Fatima School has never opposed the Bishop in this vision. However, it does require the mechanism used to be legal, respectful of the employment rights of staff and one which furthers the educational interests of the students of both schools. It strongly opposes any attempt to close both schools.
9. The Minister and the Bishop are operating under section 11C of the Private Schools Conditional Integration Act 1975 in this consultation. This allows for the cancellation of an integration agreement "by mutual agreement".
10. The Minister is obliged to exercise her own judgement of the facts and the law to determine whether she believes either, both or any of the integration agreements for Our Lady of Fatima School and St Paul's School should be cancelled. The view of the Bishop is not relevant and cannot influence the Minister's decision, even though operationally, the Ministry allows the Proprietor to be the protagonist in issues pertaining to state integrated schools.
11. The question for consultation now is whether the integration agreements for the two schools should be cancelled. However, the actual intention is to close Our Lady of Fatima School despite its continued performance, steady roll and lack of earthquake damage, to not rebuild St Paul's School, and create a new school to be known as St Francis of Assisi School. There has been no consultation on any of these questions.

Failure of the Merger Option

12. "Merger" requires the total agreement of all affected parties, but even then is not wholly enforceable, as any party, such as a taxpayer who does not want to see funds used to support it or a teacher who could not obtain a job at the school because of the ring-fencing of jobs, may challenge it.
13. Despite three rounds of consultation with ever narrowing alternatives, neither school could deliver the unanimous agreement required. This simply reflects that the presented options

and the contractual implications of each was not uniform for each individual member of staff. Consensus was an impossible request.

14. The manner of consultation, including its lack of information and transparency, did nothing to promote the possibility of consensus. It did not create opportunities for dialogue. The lack of respect for the legal constraints and the failure to formulate appropriate options denied any platform for meaningful solutions to be identified and discussed by either school. The role the facilitator took as something of a change-manager and evaluator of the schools' views, together with her ability to provide feedback to the Bishop without reference to the schools exacerbated the situation.
15. The merger option failed because it was inherently unachievable.

Cancellation of its Integration Agreement and Closure of St Paul's School

16. We have never supported this outcome. However, it is clear from the building work already commenced on our school site that the Bishop is not intending to provide St Paul's with a replacement school.
17. St Paul's is now also in a falling roll situation and has only a few permanent staff left. Its ability to continue into the future is therefore significantly compromised.
18. St Paul's staff and community did an admirable job to sustain their school following the earthquakes in the expectation of seeing their school re-established on a new site. The Ministry provided transport assistance to address the risk that the distance from their homes to Barbadoes and then Champion Streets would deter students from remaining with the school. That transport support still continues, but would not be part of any parish school at the Our Lady of Fatima School site.
19. There has been significant relocation of St Paul's community as a result of earthquake damage particularly red-zoning, which had a large impact on the catchment area. Some of this relocation will still be temporary as insurance issues are resolved but much of it now represents a permanent change. This is part of the cause of the roll drop, and will have implications on the extent to which St Paul's students will transfer to the Our Lady of Fatima School site.
20. This redistribution evidences the concerns voiced that St Paul's students will not see the parish school at Innes Road (however it is comprised) as a viable schooling option. Enrolment data shows that very few St Paul's students or what might have been their prospective students are seeking enrolment at Our Lady of Fatima School (although we currently operate an understanding that we will generally not accept enrolment requests from current St Paul's students). Enrolments continue to come from the traditional catchment area for our school of Mairehau, Burwood/Parklands and St Albans, but not from the lower eastern part of the parish. Additionally, schools such as St Mary's, New Brighton Catholic and St James which neighbour the St Paul's catchment area are seeing roll growth. (refer March 2014 roll data supplied by the Catholic Education Office – Appendix 1)
21. St Paul's has four neighbouring Catholic schools which lie closer to its original site than Our Lady of Fatima School. Although there is now a parish connection between Our Lady of Fatima and St Paul's School which has existed for just slightly longer than the consultation

period for the Bishop's proposed reorganisation, there had been no historic link between the schools that made them a more likely pairing. There is also the concern St Paul's parents may choose to leave the Catholic education system and attend state schools.

22. St Paul's school is not close to the Our Lady of Fatima site. For the eastern part of its catchment, it is separated from the Our Lady of Fatima site by natural land boundaries, most significantly the Avon River which restricts direct access to our more central and northerly position for many prospective families. There are no significant arterial or convenient routes linking the two sites. Our Lady of Fatima School, though located on a major road, is not on a convenient circuit for parents making a school run on their way to work or to the city.
23. In its consideration of Education Renewal in Christchurch, the Ministry proposed the joining of schools in close proximity to each other, so that the benefits of merger would accrue to all affected schools. Thus Burnside Primary School did not merge as the proposed change would not have seen the children from Kendal School joining that community. There were other more appropriate options for them in the form of Waimairi and Fendalton Open Air School. Likewise with the decision to maintain South New Brighton School in its current form. However, the Burwood /Windsor merger did progress because Windsor was the closest school to Burwood.
24. For all these reasons, and given that St Paul's are not to receive a new school, Our Lady of Fatima School considers the cancellation of St Paul's School's integration agreement regrettably to be the proper course.

Cancellation of the Our Lady of Fatima Integration Agreement

Practical/Factual Considerations

25. This is an unnecessary action. The Bishop wants a school at 370 Innes Road. He wants it to be a year 1-8 co-ed Catholic primary school. The existing integration agreement provides for this. To provide additional space at the school to reflect the enlarged parish size a roll increase is all that is required. This avoids the cost and risk inherent in seeking a new integration agreement.
26. Our Lady of Fatima School will welcome St Paul's School. At all meetings and discussions in this consultation, there has not been a single comment which suggests Our Lady of Fatima School has any expectation or desire that St Paul's School not join them, nor any fear that this will not lead to a positive future. The basis of concern is the loss of valuable teaching staff and the serious disruption this will cause for the children's learning from this closure recommendation. Interestingly, there has been comment from some St Paul's parents to our staff and parents that they were unaware that Our Lady of Fatima School is to close under the Bishop's recommendation and that they consider this most unfair and totally unnecessary.
27. The children of St Paul's School will choose a new school that suits their needs. Among many considerations, they will have regard to location, teaching pedagogy and for some, parish connection. Despite requests for survey or other data about the intentions of the St Paul's students, no formal data has ever been provided. This would have been invaluable in assessing the merit of the Bishop's original proposal. Informal estimates throughout the entire consultation suggest no more than half the St Paul's students will seek to attend any