

Education Report: Application for the cancellation of the Integration Agreements for Our Lady of Fatima School (3460) and St Paul's School (3541), Christchurch

Purpose of Report

1. This report provides feedback on the consultation carried out on your behalf about the Bishop Barry Jones' request to cancel the integration agreements of St Paul's School, Dallington and Our Lady of Fatima School, Mairehau. This request is made under section 11C of the Private Schools Conditional Integration Act 1975 (the PSCI Act).¹
2. Section 11C of the PSCI Act provides for the Minister and proprietor to cancel the integration agreement of a school, by mutual agreement, after consultation with such other interested persons or groups as they consider appropriate has been completed.

Background

3. The St Paul's School site and buildings were badly damaged in the Canterbury earthquakes. The land was subsequently classified as red zone and the school was temporarily relocated to Ministry owned land in Champion Street, Edgware.
4. St Paul's School will become decile 6 for 2015, it had been decile 7. Its 1 March 2014 roll was 189 and its July 2014 roll was 191. Its staffing is 9.32 full time teacher equivalents (FTTEs).
5. Our Lady of Fatima School will become decile 8 for 2015, it had been decile 7. Its 1 March 2014 roll was 220 and its July 2014 roll 233. Its staffing is 10.93 FTTEs.
6. Bishop Barry Jones, the Roman Catholic Bishop of Christchurch is the Proprietor for both schools. He has recently reorganised three parishes (Burwood, Dallington and Mairehau) to form a single parish called St Francis of Assisi Catholic Parish, Mairehau. He now wishes to align education so that there is one Catholic primary school serving the new parish.²
7. The Bishop initiated the proposal to change schooling in the Mairehau area in 2012. You gave agreement in principle to change the schooling network and supported his engagement with the schools on the proposed change to help refine the implementation options.

¹ Refer letter attached as Appendix 1.

² Refer to the Executive Summary (an enclosure of Bishop Jones' letter to Minister Parata of 5 March 2014), attached as Appendix 1.

8. On 5 March 2014 the Bishop wrote to you formally requesting implementation of the change. Following extended consultation and consideration of the feedback, the way the Bishop has proposed to achieve this is to cancel the integration agreements for both schools and establish and integrate a new Catholic primary school on the current Our Lady of Fatima School site.³
9. The Ministry has now undertaken the consultation required under Section 11C of the PSCI Act about this proposal.

Consultation

10. Section 11C of the PSCI Act requires consultation with such other interested persons or groups that you and the Proprietor consider appropriate.
11. On 13 June 2014 we wrote to the Boards of eleven primary schools in the catchment area for Our Lady of Fatima School (Mairehau) and St Paul's School (Dallington), advising them the Bishop was seeking to cancel the integration agreements of both schools, and to initiate consultation. We asked for any comments regarding the proposed cancellation of the integration arrangements that the schools would like to draw to your attention, and comment on the possible timeframes proposed for this.
12. The consultation included two options for the cancellation of integration agreements:
 - Option 1: the change would be implemented from the start of Term 3 in 2015
 - Option 2: the change would be implemented from the start of Term 1 in 2016.
13. As part of the consultation process the Ministry also invited comment on a protocol that we and NZEI developed for how the staffing of the new school could be implemented. This is based on the process for staffing a merged state school under the Primary Teachers' Collective Agreement. The use of this process is supported by the Proprietor, the Ministry and NZEI for the proposed changes if approved. The Boards of St Paul's and Our Lady of Fatima Schools were asked for feedback as part of this consultation.

Consultation with the Boards of St Paul's and Our Lady of Fatima Schools

14. The Ministry offered support to the Boards of the two Catholic schools involved in this process, through the provision of a facilitator to undertake consultation with their communities on their behalf. This support was declined.

The Board of St Paul's School

15. The Board of St Paul's School responded to your letter on 1 July 2014 accepting the Bishop's proposal to cancel the integration agreements of both schools and acknowledged that this would allow the consultation for the new school to take place.⁴

³ This letter, the proposal and the Bishop's most recent consultation report are attached as Appendix 1.

⁴ This feedback is attached as Appendix 2.

16. The Board expressed a strong preference for the change to be implemented at the beginning of Term 1, 2016. A summary of the reasons are as follows:
- It would enable buildings to be completed and the school to start on one site at the beginning of a school year.
 - It would allow for the natural conclusion of both schools and the school year for students and staff.
 - From an employment perspective, it would allow staff to be employed for a full year and this brings stability for both children and staff.
 - Starting the new school at the beginning of the year gives a greater sense of unity (creation of vision and culture etc).
 - The two sites are some distance apart and starting the year on one and then moving students to another would create transport difficulties and confusion for parents.
 - The longer implementation period allows staff to get professional development (in relation to teaching in modern learning environments), making them more employable.

The Board of Our Lady of Fatima School

17. The Board of Our Lady of Fatima School responded to the proposal for schooling change on 17 July 2014.⁵ A summary of its main reasons for objecting to the cancellation of the integration agreements are:
- There has been a drop in the St Paul's school roll and a reduction in teaching staff. The school's ability to continue into the future is severely compromised. St Paul's School and Our Lady of Fatima School are not located in close proximity to each other and many families have relocated away from the catchment area. There will be few St Paul's students enrolling in the new school.
 - The existing integration agreement already provides for a Year 1 – 8 Catholic school on the Our Lady of Fatima site so there is no need to cancel this.
 - There are 22 staff at Our Lady of Fatima School of which 16 are permanent. The Board estimates there are between four and six permanent staff at St Paul's. The greatest cost of redundancies will be for Our Lady of Fatima staff. The Board is concerned about the significant cost to the taxpayer when this could be avoided.
 - From information provided by NZEI, the Board understands that there is redeployment provision in Appendix 4 for St Paul's staff to legally transfer to permanent positions ahead of the open market.
 - The Board sought legal advice and has provided an overview of the legal opinion they received (attached as Appendix 2 of the Board's submission).
 - The Board considers Our Lady of Fatima to be the foundation school of the parish and that cancellation of the St Paul's School integration agreement is the only option.
 - The implementation date should be at the commencement of the 2016 school year.

⁵ This letter is attached as Appendix 3A.

18. In this response, the Board of Our Lady of Fatima School also provided community feedback from surveys initiated by members of the school community. This shows clear support from the responders for the retention of Our Lady of Fatima School and in particular its staff.
19. The Board has also provided feedback from the staff of Our Lady of Fatima School. The arguments against the proposed cancellation of the school's integration agreement are summarised as follows:
- *Staff submission about the proposal:*
 - Staff from Our Lady of Fatima School do not oppose the Bishop's vision. They state that children, staff and community have been through enough and require continuity and support.
 - Staff are concerned that the proposal is to close a well-functioning school with a stable roll. They have concerns about possible job losses and the cost of redundancy payments to the taxpayer.
 - They support the closure of St Paul's school with staff there being offered positions at Our Lady of Fatima as this would provide a smooth transition for children of both schools.
 - Staff support the implementation of the change at the start of 2016.
20. The Board and leadership of Our Lady of Fatima School also forwarded letters and emails sent to you and Bishop Barry Jones prior to the start of the consultation period in support of their submissions, these are summarised below.

Consultation with the Local Network of Schools

21. The Ministry undertook consultation on your behalf with the Board of St Paul's School, Our Lady of Fatima School and the Boards of 11 primary schools in the local area.⁶
22. Responses were received from the Boards of four schools and are summarised below:
- The Board of Waitākiri School submitted that representatives spoke to Our Lady of Fatima leadership and considered a letter from the Chair of the Board of Our Lady of Fatima School.

The Board is opposed to the establishment of a new school on the site of Our Lady of Fatima school and supports the proposal that St Paul's be closed and Our Lady of Fatima remain open in an expanded capacity with arrangements for the St Paul's students to be enrolled.

The Board's view is that the proposal to close both schools is unnecessary and not in the best interests of children at either school for the following reasons:

- St Paul's School cannot operate from its current site
- Our Lady of Fatima is a well-functioning community school

⁶ The feedback is attached as Appendix 5.

- the decision to close both schools appears to be expensive
 - it would create significant disruption and increase staff and community stress.
- The Board of Mairehau Primary School submitted that, as the closest school to Our Lady of Fatima, it is very aware of the stress the potential changes have caused over a protracted time. The Board acknowledges that St Paul's School could not be rebuilt but states that there does not appear to be any logic in closing two schools as a solution for one school's dilemma.

The Board also expressed concern that the cost of redundancies for both schools might be at the detriment of their school and other state schools.

- The Board of Parkview Primary School submitted that it made more social and financial sense to close St Paul's School and integrate children and staff into Our Lady of Fatima School. The Board was concerned about the financial implications of redundancies. It believed the best time-frame for opening a new school would be the start of a school year.
- The Board of Banks Avenue School provided oral feedback stating that it had no concerns or comments regarding the proposed cancellation of integration agreements for the schools.

23. You also received 15 letters / emails directly to you about the proposal.⁷ These letters were from staff and members of the Our Lady of Fatima School community.

Their concerns are summarised as follows:

- The school was not damaged in the earthquake and has a stable roll.
- The community has been affected by the earthquakes and through it all the school has remained constant. To change this now would remove the normalcy for many children and families.
- Any change of teaching staff would have significant disruption on children's learning.
- Staff morale would drop and this would have a detrimental impact of children's learning.
- Time taken out of staff teaching to develop a new vision, policies and charter would be detrimental to children's' learning.
- There would be an unnecessary cost of redundancies for the taxpayer for no educational benefit.
- Only small numbers of children are likely to enrol at Our Lady of Fatima from St Paul's school.

⁷ These are attached as Appendix 6

Two of the letters / emails received were in support of the proposed change. A summary of the points they raise are as follows:

Individual staff submissions in support of the proposal:

- There was acknowledgment of the dignity that St Paul's has shown throughout the process despite considerable challenges with their own situation.
- The process to date has included mischief making, misinformation and people working for their own agenda.
- In the process of this decision the educational needs of children have been forgotten. In the best interests of children's education the only option is to establish a new school with a future focussed perspective and change staff and leadership.
- This is an exciting development and opportunity for children currently there and those to come.
- Implementation should be the start of Term 1, 2016 with an interim board established and decisions on leadership roles being made as soon as possible.

NZEI Response

24. During this consultation period the New Zealand Educational Institute (NZEI) forwarded a letter for our information. The letter, dated 11 June 2014, was from NZEI to the Bishop. It expressed concern about the Consultation Report commissioned by the Bishop in January 2014.⁸ It states that NZEI would like the report withdrawn and not taken into account by you when considering the future of the schools.

The NZEI letter raises four issues with the Consultation Report:

- "The first paragraph of the Executive summary states: *...there was no agreed position on the size of the new school by staff at Our Lady of Fatima.*" It is not the business of the staff to determine that nor would they have the information to do so. The size of the school is surely a matter for the proprietor."
- "In the surplus staffing provisions section the writer takes issue with our position that teachers can access the surplus staffing provisions quotes cl 13.6. However if she had read cl 9.1 – 9.3 of the same section she would realise that teachers can indeed volunteer to be surplus."
- "The entire section headed *Participation of NZEI* is misleading, incorrect and one statement pure conjecture with no basis in fact."
- "In the Executive Summary there is a reference to the two staffs not having met yet. It should be noted that the Our Lady of Fatima staff urged Yvonne (the facilitator) to call a meeting of both staffs with attendance compulsory; however, she declined to do so."

⁸ The NZEI letter is attached as Appendix 7. The Consultation Report is part of Appendix 1.