15 July 2016

Hon Hekia Parata
Minister of Education
Parliament Buildings
WELLINGTON

Tea Koe Minister

Re: Consultation on HRC Residential College becoming co-educational

Introduction and executive summary
Thank you for the opportunity to comment on the proposal to make Halswell Residential College (HRC) a fully co-educational school.

We oppose this proposal, primarily on the grounds that, based on the information available, such a decision would prematurely determine, and result in, the closure of Salisbury School, which we also oppose.

In this submission we raise the following arguments to oppose the proposal:
1. We recommend that no decision be made following the HRC consultation until after submissions on the Salisbury consultation have been received and fully considered.
2. We believe our submission on the future of Salisbury will include information highly relevant to the decisions for both schools.
3. We will also be providing an updated proposal for Salisbury that will set out how Salisbury can work effectively with the Intensive Wraparound Service (IWS) and how Salisbury can help avoid those issues with the current IWS criteria that are having unintended impacts that work against the Government's policy.
4. We ask that any decision on HRC is delayed until after 12 August and after submissions on both schools are fully considered.
5. We are concerned about the financial solvency of HRC.
6. We outline our ongoing concern regarding the safety of girls at HRC based on academic research and information contained in HRC board minutes that highlight sexual incidences at the school.
7. We request that further information and up to date research be gathered before you potentially place more girls in a high risk situation.
8. We note that removal of a single sex option forces girls who have been the victim of sexual assault to attend a co-educational school with boys. This is not a choice that families of girls in the mainstream education system are forced to take. We request that for this reason a single sex option be kept available for girls.
9. We note our current parents are strongly of the view that Salisbury should stay open as a single sex school. This demonstrates a demand from students and parents for a single sex option.
10. We wish to discuss these issues further prior to your decision on HRC. At the very least, we request that we have the opportunity to meet with you before any decision is made on HRC.
recognises that not all children can have their needs met in the community. The current IWS gatekeeping approach has the unintended consequence of disadvantaging these children compared to children with conduct disorders. Decisions made in relation to both schools are critical in this respect.

- In addition, the administrative requirements around the IWS process are working against high needs Māori / Pasifika children with ASD/ID (with and without conduct disorders). That is, these children have been disproportionately disadvantaged in terms of access to services that are offered.

- In relation to the Ministry's financial analysis on the viability of Salisbury school, we will be providing information that, among other things, demonstrates Salisbury will not be more costly compared to HRC. We consider this is critical to any decision on HRC as this information is relevant to future plans and capital expenditure for both schools. We will show you that the Ministry has provided you with incomplete analysis relating to the per student cost at Salisbury and of IWS.

We will be providing further information and evidence in relation to the points above, among other things. We consider it is critical that the Minister is able to consider this information before decisions on either school are made in order to ensure the information provided in relation to Salisbury is given proper consideration.

There is not sufficient time to provide all the information referred to above within the time frames for the HRC consultation (and the legislation requires 28 days for consultation on the closure of a school).

We understand that a declaration in relation to co-education at HRC would have to be Gazetted by 1 August 2016 in order to be implemented in 2017. However, we do not believe this time pressure can justify a process that limits the ability of the Salisbury Board to make meaningful submissions on the future of the school.

On the basis of current projections for admissions of girls for 2017, admissions can be managed for 2017 even if Salisbury is closed. On the other hand, an early decision to make HRC coeducational would reflect a view by the Minister that children most appropriately placed at Salisbury can be appropriately placed at HRC. This view would be formed before the Minister has considered submissions on the future of Salisbury setting out a contrary view.

For the reasons above, we ask that any decision on HRC is delayed until after 12 August and after submissions on both schools are fully considered.

We note that a school closure is a decision of some gravity and has been recognised as one that requires consultation to be rigorous, open and cogent. It is crucial for the children who need residential schools now and in the future that decisions are made only once all information has been considered.

**Funding issues**

Further to the issues associated with process we believe there are further grounds to decline HRC's application at this stage. The state of HRC's finances is one such ground.

Board minutes from HRC clearly show that the school is in a precarious financial position. In April 2016 the board removed the wording "the Colleges current financial position remains
In any event, to the extent costs are being considered, we will be providing additional information which demonstrates that the cost analysis in relation to Salisbury has been overstated and should not provide the basis for decisions in relation to either school. It is critical that the Minister have access to this information, among other information to be provided in the Salisbury consultation, before making decisions in relation to either school.

We believe looking for new ways to increase the enrolment of students in both schools, rather than looking to close one school and making the other co-educational should be the focus of the consultation.

It is our view that Salisbury is compensating for financial pressures at HRC that would not be resolved by Salisbury closing and that alternative financial solutions for HRC should be prioritised before their request for co-educational status is considered.

**Risks with co-ed learning environment for girls**

In previous submissions to you in 2012 we pointed out the increased risk to girls and boys with complex learning impairments of sexual and physical assault. This issue is still of concern to us.

As Emeritus Professor Freda Briggs stated in her affidavit in the 2012 judicial review:

- That female students at Salisbury School will be subject to an unacceptable risk of sexual abuse if they are enrolled in a co-educational residential special school at HRC.

- There is a substantial volume of international research, including New Zealand research, which shows that girls with learning disabilities such as those at Salisbury School are up to 7 times more likely to suffer abuse (including sexual abuse) than non-disabled children of the same age.

- Boys with intellectual disabilities also suffer from high incidences of abuse, but are also more likely than others to become perpetrators because their sexual development may be more advanced than their intellect and concern for the rights of others: Sobsey, D Violence and Abuse in the lives of people with disabilities (1994).

- Children with development disabilities experienced the highest incidence of sexual abuse, with some studies showing that 69% of girls and 30% of boys with developmental disabilities are sexually abused before the age of 18 years.

- Almost eighty percent of Salisbury students told Briggs in research she conducted at the school in 1996 that they had been raped on more than one occasion before the age of fourteen. The school social worker confirmed that their claims had been substantiated. This incidence of abuse was similar to others found by international research.

- In research undertaken in 2005 at both Salisbury and HRC Professor Briggs found that 44% of girls had been sexually abused by males in their home environments prior to their enrolment at the School. All of this abuse involved rape.

- The incidence of sexual abuse amongst boys attending HRC College was identical, with 44% reporting sexual abuse. All but two of their reports were restricted to being coerced into masturbation (the boys referred to this as "wanking") and providing oral sex ("blow jobs"). The two exceptions involved anal rape by adults.
We also note that the SAMS audit was undertaken some time ago, and doesn't take into account the changing cohort of students nor were there enough girls at the school to adequately assess their safety in an ongoing way (noting assessment of current enrolments relies on girls reporting incidents which in itself is not a reliable indicator).

Further, in contrast to the SAMS audit the HRC board minutes highlight the following worrying incidents and situations:

- **February 2015:** "Halswell is currently short staffed and finding staff to support highly challenging behavioural needs is an ongoing concern. One of the current students needs two male teacher assistants. Another student was unable to return at the beginning of the year as the College has only just identified a suitable teacher assistant.

- **March 2015:** There is reference to student assaults on staff at Westbridge. There are also discrepancies in the reporting of the number of "sexual incidents." The number of occurrences is zero in the Health and Safety section but a graph in attachments shows one instance of inappropriate sexual behaviour. *While this did not occur at HRC we note it to demonstrate inaccurate reporting of sexual incidences at a board level.*

- **April 2015:** Board discussion about a number of sexual incidents involving a student functioning at key age at the time. The board determines that the reporting of "low level" sexual incidents is sufficient as the incidents do not come up under reportable events. *We raise this to demonstrate that the board and Ministry may not have a full picture of the frequency and nature of "low level" sexual incidents at HRC as they may not be reported.*

- **August 2015:** Westbridge presents a table outlining a summary of physical interventions at the school that shows between Term 1 2014 and Term 3 2015 there were a total of 677 interventions and in all but one term over half the students enrolled at the school were involved in an intervention. *We note this because the board minutes show no equivalent table from HRC. We urge the Minister to request such reporting to accurately assess the safety of students at HRC.*

- **November 2015:** A report from Solomon, who was granted a term sabbatical in the UK to look at student engagement in several special schools noted that inclusion is not working in the UK and an increased number of students are seeking special education. *We note this as evidence of a trend in the UK that is likely to occur in New Zealand.*

We note that this information about sexual incidences and physical abuse at HRC and Westbridge was not provided to the Minister in the advice from the Ministry on HRC becoming co-educational and in fact there is advice from the Ministry that there have been no incidents at HRC. That advice is incorrect, and we urge you to consider this new information and seek more detailed reporting on these matters before you make a decision on HRC becoming co-educational.

Given the significance of this issue in the 2012 judicial review we believe that you need a high level of confidence that abuse won't happen in a co-educational environment before making a decision. We think further information and up to date research needs to be gathered before putting girls in such a potentially high risk situation.
schooling, and we believe it would be doubly discriminating to remove those options for students with ASD/ID and conduct disorder needs.

We see a future for both HRC and Salisbury. However, we consider it is critical that your decision is made on the basis of student safety and welfare, parental choice, educational achievement and equal opportunities for all students after considering all relevant information. Rather, it appears that the recommendation is solely based on financial considerations that could be rectified by looking at alternative approaches to enrolment and without full consideration of the impact on students. To the extent it is based on financial considerations, the information does not correctly reflect the position in relation to the comparative costs of Salisbury and HRC.

We urge you to defer any decision on HRC until after you have had an opportunity to receive and consider the submissions in the Salisbury consultation. At the very least, we request that we have the opportunity to meet with you before any decision is made on HRC.

It is our sincere hope that through conversation we can reach an outcome that is beneficial to students, their families and their schools.

We look forward to hearing from you as a matter of some urgency given the current timeframes proposed.

Yours sincerely

John Kane
Chairperson
Salisbury School Board of Trustees
Appropriate learning environment

Residential Schools provide a supportive and secure environment where, without distraction and over a short or long term period, strategies can be put into practice to help very high needs students gain the confidence to return to learning in a mainstream schooling setting and/or to their own home. This level of intensity for these particular very high needs students cannot be maintained within a regular classroom setting even with additional assistance from within and outside the school.

Residential schools enable the individualised support for children with severe behavioural and learning needs to take place in an environment that can be structured according to need. The schools also provide periods of necessary respite for the students, their families, and their local school. The residential special schools are a last resort for very high needs students who require 24 hour monitoring, supervision and support for social, behavioural and learning needs.

These students require regular adjustment of individually tailored interventions and daily monitoring and assessment if progress is to be made so that students can successfully be returned to a mainstream school setting. The 2014 ERO reports provide evidence of the residential schools’ positive track-record in providing these services.

Intensive wrap around service (IWS)

The special education sector is still undergoing major change and the outcome of the review has not been released. What the changes will mean for student access to special education is not clear and the IWS is still in its infant stage. There may in time be an increased need for the services only a residential school setting can provide and therefore committing to the disestablishment of one of the existing schools would be foolhardy. It would be virtually impossible to establish a new residential school in the future should the need arise.

NZEI believes that the existing residential schools should continue. The Ministry and associated agencies do not at this time have firm evidence that the intensive wrap around service model is accessible, effective and successful for all at risk students. It is NZEI view that the IWS has not been in place long enough for an objective evaluation of the service’s capacity and ability to cater for all students whose needs and circumstances are currently met by placement in a residential school. While a main-streamed ‘wrap-around’ service may benefit moderate or some high needs students by providing support that assists them to be fully part of mainstream classroom and school activities, the residential schools support students whose needs are the most challenging. These needs may include time-out requirements including security and support, as well as frequent programme re-assessment.

For the reasons stated above NZEI Te Rui Roa does not support the proposal to close Salisbury Residential Special School but does support Halswell Residential Special School changing its status to a co-educational school.

Louise Green
Te Manukura
National President
Halswell Residential College’s application to become a Co-Educational College.

Submission to the Ministry of Education by the New Zealand Public Service Association: Te Pūkenga Here Tikanga Mahi

July 2016

Introduction

This submission is based on the views of PSA members working in residential special schools.

The New Zealand Public Service Association Te Pūkenga Here Tikanga Mahi (the PSA) is the largest trade union in New Zealand with over 62,500 members. We are a democratic organisation representing members in the public service, the wider state sector (the district health boards, crown research institutes and other crown entities, state owned enterprises, local government, tertiary education institutions and non-governmental organisations working in the health, social services and community sectors.

The PSA has over 150 members working in residential special schools in residences, outreach, administration and general services. 36 staff are directly affected by this consultation document.

This submission summarises the views of PSA members working at Halswell Residential College and of the PSA. The PSA meet with members affected (30th June 2016) and developed this submission from member’s responses and views.

This submission should be read in conjunction with Reference to Halswell Residential College Application letter 26th June 2016 (Simon Buckland) to Brian Coffey Manager Special Education, Ministry of Education.
Dear Ms Parata,

RE: SUBMISSION FOR HALSWELL SCHOOL BECOMING CO-ED

As parents of a daughter attending Salisbury School and as responsible parents that care about families in New Zealand we would like to make it known that we OPPOSE the proposal to make Halswell School a co-educational school.

We believe this would be a disastrous decision. A very short sighted idea. It would introduce so many other problems and is definitely not an ideal solution for either the young men or women. Put plainly, many of the girls that attend Salisbury School have been bullied throughout their school lives (some even abused by men) and to have young women with challenges at the same school as young men with challenges would be a disaster waiting to happen.

Teenage boys with challengs, not able to comprehend long term consequences of letting their testosterone do the thinking for them would be impregnating young women who after being bullied for many years at their regular school would most likely welcome any attention or advances made from any boy!!! Come on – the writing is on the wall. Just one reason why Salisbury is an exceptionally brilliant solution for young women. Girls only. A safe environment for the young women who attend there.

Not to mention some of the young women can have severe behaviour problems and the men themselves could be abused and traumatized. We want the very best for young men AND young women who have challenges and need extra help.

If Halswell becomes co-ed the government would end up paying out more money for unmarried solo mums when young women get pregnant (not if!!). Often these young mums would not be able to cope with all the added stresses at such a young age and there would be the added cost of mental health due to emotional and mental stress and fatigue, not only for young parents but for families trying to support them as well. Then there is the question of child abuse which often arises when parents and others cannot cope. NZ statistics on child abuse are quite disgusting. Let us not put systems into place that can increase that statistic. We need to be pro-active at working to bring down the negative statistics of suicide and child abuse.

The list of negatives is really non ending of all the possible outcomes of making Halswell co-ed. One other fact to support a co-ed school being an extremely bad idea is statistics show that boys/young men learn and do far better at school when they attend a BOYS ONLY school. Why would the government want to make it harder for young men, who are challenged in some way, to meet their individual potential? Placing young women in their school would be a distraction to everything they are trying to achieve. Not cool. Not to mention being co-ed is and extremely less than ideal option for at risk young women. Our young men and women are our future. Those with challenges when helped to develop their full potential can and will become an asset in our communities.

Believing for enlightenment for all concerned who have put forward the proposal to make Halswell co-ed.

Regards