Education Report: Update on Co-educational Provision at Halswell Residential College (522)

Recommended Actions

We recommend that you:

a. note that the Education Report upon which you based your decision to allow Halswell Residential College to operate as a co-educational residential special school from 1 January 2017 (METIS 1013576 refers), contained some inaccuracies in the description of the literature reviews undertaken by the Ministry's expert advisors;

b. note that your approval for Halswell was Gazetted on 28 July 2016;

c. note that the Ministry has obtained further expert advice that confirms that Halswell Residential College is able to provide a safe environment for both male and female students;

d. note that that the Ministry stands by the recommendation in its earlier Report;

e. agree that your decision of 25 July 2016 stands;

[Signature]
AGREE / DISAGREE

f. sign the attached letters; and

g. agree to proactively release this report and associated documents.

[Signature]
AGREE / DISAGREE

Katrina Casey
Deputy Secretary
Sector Enablement and Support

Encls

[Signature]
Hon Hekia Parata
Minister of Education

19.12.16
Education Report: Update on Co-educational Provision at Halswell Residential College (522)

Purpose of Report

1. This paper:

   a. advises you of errors and inaccuracies identified in the Ministry's advice to you in relation to your decision on 25 July 2016 to allow Halswell Residential College to operate as a co-educational residential special school from 1 January 2017 (METIS 1013576 refers); and

   b. updates you on further available research, and expert advice on the safety of girls attending Halswell Residential College.

Background

2. On 23 July 2016 we provided you with an Education Report recommending that Halswell Residential College’s status be changed from a single-sex boys’ residential special school to a co-educational residential special school, following a request from the Combined Board of Halswell Residential College and Westbridge Residential School (the Combined Board).

3. The Board of Trustees of Salisbury School was consulted about the proposed change, as it is the only school whose roll might be affected. The Board opposed the proposal. We received four other submissions. Three of these supported the application and one opposed it.

4. A key issue raised in the submissions was whether Halswell Residential College provided a safe environment for girls with high and complex needs and intellectual disability.

5. As part of its assessment of this proposal the Ministry considered a range of research and expert advice. We advised you that this information demonstrated that Halswell Residential College is able to provide a safe environment for both male and female students.

6. On 25 July 2016 you approved Halswell Residential College to change its status from a single-sex to a co-educational residential special school from 1 January 2017. This was gazetted on 28 July 2016 (2016-go4325).

7. The Ministry has since realised that its advice to you included an incomplete and therefore inaccurate representation of the literature available at the time, as well as some other inaccuracies.
8. The section headed "The SAMS literature Review" (paragraphs 64 to 68) did not specify which review was being discussed. Given the sequencing, we realise that the impression given is that it was referring to the 2016 review, which had not at that time been received by the Ministry. As a result, our advice omitted research referred to in the 2016 review, including the prevalence research from the USA and the Netherlands. A key issue in that research is the significantly elevated rate of abuse experienced by intellectually disabled children and youth in school situations generally (US study), and in state-sponsored residential and foster care situations in the Netherlands, including the high rate of sexual abuse perpetrated by peers. For reasons explained in the further advice received from SAMS outlined below, the Ministry does not consider that this research is cause for concern in relation to Halswell Residential College.

9. The 2016 SAMS literature review dated 28 July 2016 is attached as Appendix One.

10. The Ministry’s description of the literature reviews also contains some other inaccuracies, including:

a. a statement regarding research by Balogh that it showed "some evidence to suggest that boys who are victims of sexual abuse are no more likely to become perpetrators than girls". On review of this research we do not consider this conclusion was warranted.

b. a sentence that, on reflection, we realise could have been worded better. That sentence states "...intellectually-impaired girls and boys are equally at a higher risk of all types of abuse than non-disabled students". This is correct, in that the Ministry’s internal expert advice based on the literature is that there is an equally increased risk for all students due to intellectual impairment, regardless of gender. It was not intended to suggest that the absolute risk was the same for girls and boys, which it is not. We recognise it could have been read this way.

c. a reference to Professor Briggs’ 2009 research regarding reduction of risk of sexual abuse through the availability of appropriate sexuality education. The year given in that reference is incorrect. The statement was made in Briggs’ 2008 paper “Safety Issues in the lives of children with learning disabilities”.

11. The Ministry regrets that its advice to you was incomplete and contained inaccuracies. However, the deficiencies do not affect the validity of the recommendation made at the time, which the Ministry considers was, and remains, correct.

12. Our report to you also recorded that it provided a summary of the draft of SAMS’ 2016 evaluation report on Halswell, as the final report became available after our Education Report was finalised. We also provided you with a copy of SAMS’ draft report for your review. The final report has been received and is not materially different from the draft provided. The report states that the SAMS Evaluation Team "believes Halswell Residential College provides an environment that minimises risk for all of its students regardless of gender and on this basis believes the College would successfully support a coeducational roll".
13. The final version of SAMS 2016 Evaluation of Halswell Residential College, dated 28 July 2016, is attached as Appendix Two.
Further work and expert conclusion on the safety of girls at Halswell Residential College

22. During the course of consultation on the proposed closure of Salisbury School, the Ministry obtained further input from SAMS on the issue of safety of girls at Halswell Residential College, resulting in two further pieces of advice:
   - Revised responses to questions posed by the Ministry of Education with regard to the literature review by Parker and Wilson (2016) and the Halswell College Review 2016 (Appendix Four);
   - Response to the questions raised by the Ministry of Education regarding the risk factors associated with sexual abuse in residential special school settings, 8 August 2016 (Appendix Five).

23. In addition, since finalisation of its 2016 literature review, SAMS has identified a report: "My life at school: understanding the experiences of children and young people with special educational needs in residential special schools", commissioned in 2014 by the Children's Commissioner of England and focussed on reviewing 17 Residential Special Schools in England. SAMS advises that this review is the closest approximation we have to residential special schools in New Zealand, and is important in terms of providing a balanced perspective with the prevalence studies in Europe and the United States discussed above.

24. SAMS' commentary dated 23 August 2016 updating its literature review js attached as Appendix Six.

25. In light of the range of research and reports, and the importance of certainty about student safety, we also sought an independent expert overview from SAMS of the information available. We commissioned SAMS to provide an expert, evidence-based, opinion on whether girls with an intellectual disability or learning impairments are safely attending, and can in future safely attend, Halswell Residential College.

26. The full terms of reference for this review and opinion are attached as Appendix Eight. SAMS' advice is attached as Appendix Seven.

27. Following from all the research the SAMS' conclusion is: Halswell Residential College, "...has systematically researched and implemented policies, procedures and practices that bring it into line with best practice strategies identified in the literature to minimise the risk of abuse to students in coeducational residential special schools." SAMS also states "Evidence from the experience of girls who have already attended the College also demonstrates that girls with a learning disability can safely attend Halswell Residential College."
Conclusion

28. Following the 2016 review of Halswell Residential College undertaken by SAMS, the research completed in the most recent international literature reviews, and the we recommend that you agree that your decision of 25 July 2016 to make Halswell Residential College coeducational stands.

Next Steps

29. If you decide to that your decision of 25 July 2016 stands please sign the attached letters and agree to the proactive release of this paper to the Boards of Halswell Residential College and Salisbury School (Nelson).

30. If you decide that your 25 July 2016 decision to make Halswell Residential College co-educational should not stand then we will immediately withdraw female students from the school under emergency procedures. Under section 9 of the Education Act 1989 we will be able to facilitate enrolments for female students to other providers for the 2017 academic year. The Ministry will then provide you with a new Education Report on how to return the College to a single sex school.
Ms Lois Chick  
Chairperson  
Combined Board of Halswell Residential College  
and Westbridge Residential School  
15 Nash Road  
Halswell  
Christchurch 8025

Tēnā koe Ms Chick

Following from the consultation on the possible closure of Salisbury School (Nelson), I have been asked to further examine the safety of female students at Halswell Residential College and to analyze the international research on safety of students with intellectual disability in a co-educational setting.

On my behalf, the Ministry of Education commissioned Safety and Monitoring Services (SAMS) to undertake this research. This independent study included a further examination of international literature on the subject and an investigation in the practice of co-educational residential special schools in New Zealand.

I have received expert advice that confirms that Halswell Residential College is able to provide a safe environment for both male and female students. I am pleased to inform you that I have decided that my 25 July 2016 decision to make Halswell Residential College co-educational stands, and will be implemented on 1 January 2017.

I have attached to this letter a copy of the Education Report confirming my decision and the appendices with the SAMS reports.

I wish you, the Board, staff and students of Halswell Residential College and Westbridge Residential School a festive Christmas and a restful summer break.

Heoi anō

[Signature]

Hon Hekia Parata  
Minister of Education

Encl
19 DEC 2016

Mr John Kane
Chairperson
Salisbury School
Private Bag 1
Richmond
Nelson 7050

Tēnā koe Mr Kane

At our 8 August 2016 meeting you asked me to further examine the safety of female students at Halswell Residential College and to analyse the international research on safety of students with intellectual disability in a co-educational setting.

On my behalf, the Ministry of Education commissioned Safety and Monitoring Services (SAMS) to undertake this research. This independent study included a further examination of international literature on the subject and an investigation in the practice of co-educational residential special schools in New Zealand.

I have received expert advice that confirms that Halswell Residential College is able to provide a safe environment for both male and female students. With this in mind I have decided that my 25 July 2016 decision to make Halswell Residential College co-educational stands, and will be implemented from 1 January 2017.

I have attached to this letter a copy of the Education Report confirming my decision and the appendices with the reports from SAMS.

I wish you, the Board, staff and students well.

Heoi anō

Hon Hekia Parata
Minister of Education

End