

Education Report: Halswell Residential College (522) - Change of status to co-educational residential special school

Executive Summary

1. The Combined Board of Halswell Residential College and Westbridge Residential School (the Combined Board) has requested that Halswell Residential College status be changed from a single-sex boys' residential special school to a co-educational residential special school.
2. Placement in a residential special school is one of a range of supports available to help students with high and complex learning needs who are receiving support through the Intensive Wraparound Service (IWS). Following assessment by psychologists involved in the IWS, an individual programme plan is developed for each student. Where parents/caregivers indicate they would like the student to have a residential placement as part of this plan and this meets the needs of the child, then a place at one of the residential special schools is considered by the team and the whānau.
3. We have undertaken consultation on the request for Halswell to become co-educational.
4. The Board of Trustees of Salisbury School has been consulted about the proposed change, as it is the only school where the roll may be affected. The Board advises that it opposes the proposal. We have received four other submissions. Three of these supported the application and one opposed it. No submissions were received from stakeholders in the Health and Disability sector.
5. The key issue that has been raised in the submissions is the safety of girls with high and complex needs who have been sexually abused. We recognise that students in this situation are at higher vulnerability to risk for a range of hazards including sexual abuse. The Combined Board's experience of having a limited number of girls enrolled at Halswell, and the research undertaken through the Standards and Monitoring Services (SAMS) report, shows that this risk can be effectively managed. This evidence, alongside the positive outcomes for both male and female students of learning and living alongside each other in a safe environment, makes for a safe and efficient co-educational setting.
6. We note that there are other options for parents who wish to access single-sex education provision, including having IWS support in a mainstream single-sex day or boarding schools.

7. As part of its assessment of this proposal the Ministry has considered a range of research in this area, including the Freda Briggs research (quoted by Salisbury School in its submission and central to the judicial review challenge of the decision to close Salisbury School in 2012), the education of boys in single-sex schools (quoted in the Sinclair submission), and the research considered in the SAMS literature review.
8. The Ministry commissioned SAMS to carry out a further review of Halswell Residential College's governance processes, roll management, property, quality of education provision, financial viability, health and safety, and staffing. This review has determined there are no issues which preclude Halswell Residential College from changing its status from a single-sex to a co-educational residential special school.
9. If your decision is to approve the application, the co-educational status of the College will be implemented at the start of 2017.
10. If Halswell Residential College becomes co-educational the roll of Salisbury School is likely to be affected.
11. After considering the application from the Combined Board of Halswell Residential College and reviewing the submissions, the Ministry recommends that you consider approving the application on the basis that:
 - it has been demonstrated that there is a demand from parents to be able to enrol their daughters at Halswell Residential College and there are recognisable benefits to co-educational residential special education. The current limits on female enrolments are preventing the school from fully meeting this demand
 - the SAMS review, the ERO Review Report and the Combined Board's own monitoring and reporting has demonstrated that Halswell Residential College is able to provide a safe environment for both male and female students
 - the quality of the school's education provision is sound
 - there are no significant property or financial implications associated with this change.

Recommendations

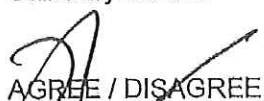
We recommend that you:


- a. **agree** that Halswell Residential College will become a co-educational residential special school from the beginning of 2017;


AGREE / DISAGREE

If you agree you are asked to:

- b. **sign** the attached Gazette notice implementing your decision under Section 146A(1) of the Education Act 1989 that Halswell Residential College will become co-educational from the 1 January 2017;
- c. **sign** the attached letter to the Combined Board of Halswell Residential College and Westbridge Residential School informing them of your decision. Return the signed letter to the Ministry to be hand delivered to the Combined Board;
- d. **sign** the attached letter to the Board of Salisbury School advising it of your decision. Return the signed letter to the Ministry to be hand delivered to the Board of Salisbury School;
- e. **sign** the attached letters to local Members of Parliament advising them of your decision;
- f. **note** that the Ministry will work with the Board of Salisbury School on its concerns; and
- g. **agree** that this Education Report be released to the Combined Board of Halswell Residential College and Westbridge Residential School, and to the Board of Salisbury School.


AGREE / DISAGREE


Katrina Casey
Acting Secretary for Education

Ends



Hon Hekia Parata
Minister of Education

25.7.16

Education Report: Halswell Residential College - Change of status to co-educational residential special school

Purpose of Report

1. On 26 June 2015 the Combined Board of Halswell Residential College and Westbridge Residential School applied for the status of Halswell Residential College to change from a single-sex residential special school to a co-educational residential special school.
2. This report seeks your decision on this application.

Background

3. Halswell Residential College is a single-sex residential special school for boys (aged 8-16 years) with challenging behaviours and intellectual disabilities. It is located in Halswell, Christchurch, in the Wigram electorate. In 2016 it has a notional (resourcing) roll of 32 students, and the 1 March roll was 16 students - 12 boys and four girls (in 2013 a decision was made that the school could enrol up to five girls or 40% of its roll).
4. Students at Halswell are typically enrolled between 12 to 18 months as part of their personalised education plan. As one of the aims of special education is to have students educated and living in their local community, this support usually sees students transition from Halswell to their local school or to work in their local community, in partnership with the IWS.
5. The 2012 review of the residential special schools and the subsequent judicial review of the decision to close Salisbury School resulted in there being three residential special schools working with the IWS from the start of 2013. Halswell Residential College is one of these schools, and the other two schools are:
 - **Salisbury School** - a single-sex school for girls with severe learning needs and challenging social/emotional needs, located in Nelson.
 - **Westbridge Residential School** - a co-educational school for students with complex and challenging behaviour needs, located in Auckland.
6. Since 31 January 2014, Halswell Residential College and Westbridge Residential School have been governed by a minister-appointed Combined Board of Trustees.

Request to Become Co-Educational

7. The former Board of Trustees of Halswell Residential College began the process of applying to become co-educational in 2012. Following the outcome of the judicial review of the decision to close Salisbury School (late 2012), the Board halted this process.

8. In May 2013 you agreed that Halswell Residential College could enrol a limited number of girls. The limits you set were that the school could enrol up to five girls, and that the number of girls enrolled would not exceed 40% of the actual number of boys enrolled at any one time. This was to ensure that the school primarily remained a school for boys.
9. The College began enrolling a restricted number of girls at the start of 2014. Since this time there have been consistently four to five girls enrolled at the College.
10. In May 2014 the Combined Board applied for Halswell to become a co-educational facility, effective from the beginning of 2015. A decision on this application was subsequently deferred [METIS 871404 refers].
11. The 2015 application from the Combined Board reflects its consistent view that being co-educational would allow Halswell to offer the best learning environment for students. The application is attached as Appendix 1.

2015 Application - Summary

12. In its application the Combined Board highlights significant benefits it considers would be achieved by becoming co-educational. These include increased parental choice and being able to create a culture which reflects both male and female learning styles. In respect of the social development of students, the application demonstrates the need for both sexes to form friendships, to work collaboratively and to encourage gender equality and integration.
13. In assisting their students to integrate into the community, the application reflects on the fact that most students at Halswell have brothers and sisters at home and come from co-educational schools. With Halswell as a co-educational facility, this would assist students in transitioning back to their home communities.
14. The Combined Board reports that Halswell's current single-sex status, and the constraint that the number of girls enrolled does not exceed 40% of the actual number of boys enrolled, are creating difficulties for the school to meet demand for enrolments. This is because it is in the position of being able to accept only those enrolments which ensure that the required gender balance is met.
15. At any time a male or female student leaves to transition back to his or her local school, the College needs to ensure that the required gender balance of students is maintained. As a result, the single-sex status and the ability to enrol up to 40% of girls has the potential to compromise parental choice and optimal enrolment decisions by the College.
16. Halswell Residential College is unable to meet the demand from parents who have a preference for their daughters to attend a co-educational residential special school. As a result there is a waiting list for enrolments of female students.
17. The Combined Board would like Halswell to be in a position where its school's status allows it to accept and retain the enrolment of any student referred by the IWS, regardless of gender.

18. The Combined Board's application also highlights that Halswell Residential College is the only residential special school in the country offering the National Certificate in Work and Community Skills (supported Learning). As part of its programme, the school also sends students out on work experience. This means students can leave the school with some credits towards their NCEA Level One. All students, through their Individual Education Plans (IEPs), make progress in literacy and numeracy levels.
19. The Ministry considers the main reasons that parents have requested to enrol girls at Halswell Residential College are based on the location of the school in relation to where they (or other family members) live, and/or their preference for a co-educational environment. In this regard, parents are seeking a safe educational setting which they believe will better prepare their daughters to cope effectively in wider society.

Legislation

20. Section 146A(1) of the Education Act 1989 provides that, subject to consultation under Section 157, the Minister of Education may, by notice in the Gazette, declare any school to be a boys' school, a girls' school, or a co-educational school.
21. Ministerial approval of a change of school status is required to be gazetted by 1 August of any year, in order for the change to come into effect at the start of the following year.

Section 157 Consultation

22. Section 157 of the Education Act 1989 requires that before making a decision about changing the status of a school under Section 146A(1), the Minister must consult with the Board of the school, and the Boards of any other schools whose rolls may be affected by the proposed change. The Ministry has consulted with the Combined Board of Halswell Residential College and Westbridge Residential School on your behalf. The only school whose roll may be affected by Halswell Residential College becoming co-educational is Salisbury School. The Ministry has consulted with the Board of Salisbury School on your behalf.
23. The Ministry wrote to the Board of Salisbury School on 23 June 2016 to advise it of the Combined Board's request, and to invite the Board's feedback on this request. The Board was provided with a copy of the request itself.
24. There is no legislative requirement for the Ministry to consult with other stakeholders about a change of status from single-sex to co-educational provision. But to ensure the Ministry fully engaged with the education sector we conducted consultation with the New Zealand School Trustees Association (NZSTA), the New Zealand Education Institute (NZEI), the Post Primary Teachers Association (PPTA), the New Zealand Public Service Association (PSA), and the Health and Disability sector.
25. All parties consulted were given four weeks to submit their comments.

26. The consultation period for Halswell's application ran from 16 June 2016 to 15 July 2016, overlapping with the separate consultation process under s 154(2) relating to the future of Salisbury School. The consultation process relating to Salisbury School's future commenced on 16 June 2016 and is currently due to complete on 12 August 2016.

Submissions

27. We received five submissions on the Halswell co-educational proposal. These were from:
- The Combined Board of Halswell Residential College and Westbridge Residential School;
 - The Board of Salisbury School;
 - NZEI;
 - PSA; and
 - (parents of a student enrolled at Salisbury School).
28. During the consultation period we have not received any other correspondence specifically about this proposal. We have received two requests under the Official Information Act to provide information about Halswell Residential College, Salisbury School and the IWS. Responses have been made.

Submissions received from Boards of Trustees

Halswell Residential College

29. On 8 July 2016 the Combined Board provided its submission. This reaffirmed its original application. Its submission outlines the positive working relationship the school has with IWS staff, the positive feedback they have had from staff and parents about the application and the safety of girls in their care (see Appendix 1.1)
30. The Combined Board wrote to the parents of each student currently enrolled at the College about the suggested provision to become co-educational. This was followed up with a phone call to ensure parents were fully consulted in the process. The feedback from parents indicated that they were generally supportive and encouraging of the application.
31. The Board also consulted with Halswell students and reported that the majority of the students were in favour of more girls attending. Some students noted that it is good to have friends of the opposite sex as they have brothers/sisters at home.

Salisbury Residential School

32. The Board of Salisbury School provided feedback on 15 July opposing the proposal and asking you to defer a decision until the consultation about the future of Salisbury School is completed. The Board considers that *such a decision [about Halswell becoming co-educational] would prematurely determine, and result in, the closure of Salisbury School*, which it also opposes. The Board states that its submissions on the future of Salisbury School will include information which will be highly relevant for the decisions for both schools.

33. The consultation about the future of Salisbury School is currently underway (concluding 12 August).
34. The points raised by the Salisbury Board about the Halswell application are summarised below, and the submission itself is attached as Appendix 2.0.

Issues with the proposal	Detail
Issues with the governance of Halswell Residential College.	<ul style="list-style-type: none"> • The financial insolvency of the Board of Halswell Residential College. • Issue from Halswell's Board minutes about shortages of staffing at the school.
The safety of girls at Halswell Residential College	<ul style="list-style-type: none"> • The affidavit from Emeritus Professor Freda Briggs in the 2012 High Court case. • Single-sex provision is needed in the education system to cater for girls that have been sexually abused and whose parents do not want them to attend a co-educational school. • Issue about inaccurate reporting of a sexual incident in Board minutes showing <i>inaccurate reporting of sexual incidents</i>. • Concern that the frequency and nature of low-level sexual incidents may not be reported accurately. • Salisbury School Board states that the Ministry has wrongly advised you that there have been no incidents (of sexual abuse) at Halswell and recommends that you seek detailed reporting before you make a decision.
The SAMS audit of Halswell Residential College in 2013	<ul style="list-style-type: none"> • The SAMS audit was of the grounds, policies and procedures and was narrow in its approach. • The audit is old and student cohorts have changed. • There weren't enough girls at Halswell at that time on which to make an adequate assessment of their safety.
Inclusion trends in the UK	<ul style="list-style-type: none"> • The Board states that Halswell records note that a member of its staff suggests that inclusion is not working in the UK and that this is a trend that is likely to occur in New Zealand.
There is demand for single-sex special residential school provision.	<ul style="list-style-type: none"> • While the application from Halswell says that there is demand for co-educational provision,

	Salisbury provides information to say that there is demand for single-sex provision.
That the Board of Halswell is seeking to become co-educational only because of financial instability.	<ul style="list-style-type: none"> The Board states that the Combined Board minutes suggest that the school has applied to become co-educational because of the financial concerns, and that the Ministry will close Salisbury and use the funding for Halswell.
Issue with the process	
Timing of the consultation with regard to the consultation about the future of Salisbury School.	<ul style="list-style-type: none"> The Board states that its proposed submissions on the future of Salisbury School will include information that is highly relevant to the decisions for both schools.. A decision on Halswell's application should not be made until the consultation process on Salisbury school is completed. Approving Halswell to become co-educational indicates a view that Salisbury should close in advance of any consideration of the submissions in the Salisbury consultation.
The consultation period.	<ul style="list-style-type: none"> There has not been sufficient time to provide all the information about the issues that Salisbury Board has with the Halswell proposal, within the period provided.

35. Overall the Board of Salisbury considers that there would need to be a high level of confidence that abuse would not happen in a co-educational environment before making a decision that Halswell become co-educational.
36. The Board also noted that it considers that the level of support for either co-educational or single-sex provision reflects the preference of parents of currently enrolled students.

Submissions received from Sector Groups and Stakeholders

New Zealand Educational Institute (NZEI)

37. A submission was received from the NZEI on 15 July. The submission supports Halswell Residential College's application to become co-educational. The NZEI stated that all *children must be able to attend school in an environment that supports learning. The NZEI supports the continuation of the role of the Special Residential schools alongside the intensive wrap around service as an essential part of a range of learning environments within a coordinated national service.*
38. It is noted that the NZEI also supports the retention of Salisbury School, but not necessarily in its current form or role.

39. The NZEI suggests that all three residential special schools become co-educational and that they could then work together to tailor their provision for the particular needs of students and have a wider geographical spread across the country.
40. The NZEI believes that the existing residential schools should continue. They consider that 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.
41. It is the NZEI's 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.
42. A summary of the issues raised in the NZEI submission is provided below. The submission from NZEI is attached as Appendix 2.1

Issue with the proposal	Detail
Intensive Wraparound Service (IWS)	<ul style="list-style-type: none"> • Considers there is no firm evidence that the IWS model is accessible, effective and successful for all at-risk students. IWS hasn't been in place long enough to ensure that it benefits the kinds of students that go to special residential schools (eg who need time out requirements, security and support as well as frequent programme re-assessment).

Public Service Association (PSA)

43. The PSA submission says that the PSA *represents over 150 workers in residential special schools in residences, outreach, administration and general services*. The submission represents the views of the members at Halswell Residential College and of the union itself.
44. PSA's submission states that it supports the application for Halswell Residential College to become co-educational, although it also raises some concerns.
45. The submission comments favourably that the College's policies and protocols allow for an environment that ensures students and staff are safe. It also acknowledges that the Board had consulted with its PSA members about the application for co-educational provision at the school.
46. Below is a summary of the issues raised by both PSA members working at Halswell and by the union that have been included in the PSA submission. The submission itself is attached as Appendix 2.2.

Issue with the Proposal	Detail
Staffing	<ul style="list-style-type: none"> • That the College investigates how male staff can work with female students to ensure safety for staff and students. • That staffing ratios in the hostels are kept to an expected level with co-educational facilities open. • That the College manages the level of high-needs students in the facility at any one time so it does not undermine the staff's ability to provide a safe and secure environment.
Funding	<ul style="list-style-type: none"> • PSA has concerns about ongoing funding to enable the school to recruit and retain qualified and experienced staff.
Roll management	<ul style="list-style-type: none"> • PSA has concerns about the fluctuation of students due to the IWS system and the lack of ability for the school to plan.

Submission from

47. () are parents of a student who is currently attending Salisbury School. They do not support the proposal for Halswell to become co-educational, raising issues about student safety and student achievement in co-educational schools.
48. A summary of the issues raised is provided below, and the submission is attached as Appendix 2.3.

Issue with the Proposal	Detail
Student safety	<ul style="list-style-type: none"> • girls with challenging needs need to be safe (as do boys with challenging needs).
Boys' learning	<ul style="list-style-type: none"> • data shows that boys learn better when educated in single-sex environment

Ministry Comment on the Process

49. The Ministry considers that the all parties consulted have been provided with a meaningful opportunity to provide feedback on the proposal.
50. Salisbury School was advised by you in your letter of 14 June 2016 that as both Salisbury and Halswell are part of the residential special school network, any changes to one school will affect the other. In particular, should Halswell become co-educational, this will increase the provision of education for girls who might otherwise attend Salisbury.
51. You also informed the Salisbury School Board that your decision on Halswell's application will not predetermine your decision on Salisbury School. The increased provision of education for girls at Halswell School is only one factor that will be relevant to your decision on the future of Salisbury School.
52. However, Halswell's application is not dependent on your decision about Salisbury's future: Halswell Residential College can become co-educational whether Salisbury School closes or remains open. Therefore the consultation process for its application can be completed before a decision is made about Salisbury School.
53. Ministerial approval of a change of school status is required to be gazetted by 1 August of any year, in order for the change to come into effect at the start of the following year. It is important that your decision on Halswell's application be made promptly, if the school is to be provided with certainty about its status for 2017.
54. It will also be important for there to be certainty on whether Halswell Residential College will be co-educational before you complete the consultation process under s 154(1) in relation to Salisbury School and before you make a decision whether you are satisfied that Salisbury School should be closed. This will also allow a transparent and informed consultation process with the Salisbury School Board and other interested parties.
55. By commencing the two consultation processes at the same time you ensured that the Salisbury School Board was fully informed of the context and the potential implications for Salisbury School of your decision on Halswell's application, and had the opportunity to provide submissions to you about whether Halswell should become co-educational on that basis.
56. Both Boards have been informed of the timeframes for each consultation process. All parties consulted had four weeks to present their submissions.
57. The Salisbury School Board has provided submissions on the safety of girls at Halswell Residential College, and other matters which it considers relevant to your decision about that school. These are addressed in this report.
58. The Salisbury School Board has also asked you to defer making a decision on Halswell's application because it says that its submission on the future of Salisbury School will contain "information highly relevant to the decisions for both schools". Salisbury School Board refers to a range of matters that its submission under s 154(1) will address. None of these appear to be of such significance to the assessment of Halswell Residential College's application to become co-educational to justify deferring that application for a further year.

Ministry Comment on Student Safety at co-educational residential special schools

59. The Ministry acknowledges the research that supports the comments made by the Salisbury School Board, the PSA, and the PSA. There is evidence of increased vulnerability experienced by young people with intellectual disability over that experienced by non-disabled young people. This research does not indicate that increased risk is inevitable with enrolment at a co-educational facility.
60. However, the benefit of co-educational schooling gives the students the opportunity to learn alongside the opposite sex, and teaches students how to mix with the opposite sex in a safe and structured environment. This gives them real-life experience on how to function in their communities.
61. In 2013, following the concerns highlighted by the judicial review of your decision to close Salisbury School, the Ministry engaged an independent organisation, Standards and Monitoring Service (SAMS), to undertake a review of the matter of student safety in co-educational settings [METIS 770852 refers].
62. The purpose of the review was to evaluate safety systems, programmes and processes, and to identify what would need to be in place to ensure the safety of girls with an intellectual impairment at Halswell Residential College.
63. Following the latest application from Halswell to become co-educational, a further review was commissioned from SAMS. The review was completed in July 2016. The purpose of this review was:
 - to carry out a further literature review to identify any international research in the last two to three years that would change or challenge the information presented in the April 2013 report.
 - to provide an update on progress covering the implementation of recommendations from the April 2013 report, and current policies, processes and practices regarding the safety of students at the College

The SAMS Literature Review

64. The literature review, which included the work by Professor Freda Briggs relied on by Salisbury School Board in the 2012 judicial review, confirmed that intellectually-impaired girls and boys are equally at a higher risk of all types of abuse than non-disabled students.
65. The literature review cites work by Balogh et al in their review of young people with intellectual disabilities over a five-year period. The research found that 14% of these young people had been either a victim or perpetrator of sexual abuse. Of these, 49% were victims alone and 14% perpetrators alone. 37% were both victim and perpetrator. They found that 65% of the 17 male perpetrators had been previous victims while all of the five girls who were perpetrators had been previous victims. This shows that there is some evidence to suggest that boys who are victims of sexual abuse are no more likely to become perpetrators than girls.

66. The review cites research that evidences some gender differences in that girls tend to be more aware of the impact of sexual abuse on the victim than boys - while boys are less likely to report sexual abuse by other youths or adults. All students are shown to lack awareness of appropriate sexual rights and responsibilities and relationships.
67. Briggs in 2009 demonstrated that the risk of sexual abuse can be significantly reduced through the availability of developmentally-appropriate sexuality education taught alongside child protection information.
68. The literature review cites research identifying strategies to minimise the risk of sexual abuse for young people with intellectual disabilities in co-educational residential schools. In summary, this can be achieved through suitable staff training alongside appropriate systems, policies and processes.

Standards and Monitoring Service review 2013

69. The report from the SAMS 2013 review states:

"We believe Halswell Residential College is doing a good job of meeting the learning and safety needs of boys with behaviour problems and intellectual impairment in a residential setting. In our opinion, with the application of entry criteria that are known to work, the right staff in place, trained in the new policies and procedures and with time to establish them, Halswell Residential College is capable of making the transition to a safe co-educational residential special school"

70. SAMS identified nine factors considered critical to the success of Halswell as a co-educational residential special school and made six recommendations reflecting those factors.

Actions following the 2013 SAMS report

71. The Board of Halswell Residential College reviewed all of its policies and processes and implemented the recommendations of the review during the remainder of 2013. The Combined Board is confident that the school is currently providing a safe environment for the girls that are already enrolled, and that this will be sustained if the school becomes co-educational.
72. The Combined Board has also stated that it will ensure all current and future property modifications are designed and built to maximise student safety.
73. In May 2014 the Education Review Office (ERO) conducted a review of Halswell Residential College as part of its usual cycle of reviews. The ERO report raised no issues in relation to the safety of any of the students. It notes that *"the villas are well managed... [and there are] cohesive practises that meet college requirements for the education and wellbeing of students."*
74. An updated report was commissioned from SAMS. The review was completed in July 2016. The report is currently being finalised.

Standards and Monitoring Services review 2016 refer to Appendix 3.

75. The 2016 SAMS review report shows:

- The Evaluation Team is satisfied with the College's response to the 2013 recommendations and takes the view that Halswell Residential College has "successfully introduced girls to the school without incident and provides an environment that is as safe as possible for all its students regardless of gender."
- The review finds that all the stakeholders, including some who previously held reservations about the move to enrol females, have "wholeheartedly viewed the integrations of girls into the school as a success both in terms of their safety and security and in terms of their achievements".
- While the literature indicates that the greatest threat of abuse (regardless of type) is between students, the school provides the multi-level safety measures needed to prevent abuse from occurring. There are as many safeguards as possible with regard to inter-student incidents and the College provides clear boundaries through specific policies and procedures around harassment and bullying.
- In the schools policy, sexual harassment is described as verbal or physical conduct of a sexual nature that is (a) unwelcome or offensive to the victim or (b) serious in nature or persistent to the extent that it is detrimental. Inappropriate sexual behaviour is described at three levels: inappropriate solo behaviour which is reported to parents as part of regular end-of-term reporting; non-coercive mutual behaviour where parents and Principal are notified immediately; and coercive non-consenting abuse where Police are notified immediately.
- The Evaluation Team reports that in the 18 months between 1 January 2015 and 27 June 2016 there were no recorded incidents of sexual harassment or abuse between students. There were 10 records of lower-level inappropriate sexualised behaviour. Level 1 behaviours, according to the HRC policy on inappropriate sexual behaviour, is "inappropriate solo behaviour which may mean masturbation that is apparent to others, accessing pornography, or unsanctioned exposure of body parts".
- The College adopts a 24/7 approach to learning and employs a large number of staff associated with the day school, residential villas, and other staff functions. The residential staff are well-qualified, and staff receive substantial induction training and ongoing professional development.
- A principle for safety of students is a "cohesive team that is kept fully informed". To facilitate this there are detailed systems for sharing pastoral notes and providing detailed incident reports that include staff reflection and debriefing. Staff supervision continues to be an important model of practice.
- The current Policies and Procedures document has been revised since the 2013 review to meet the requirements of a co-educational residential school. These continue to be reviewed by an external expert who describes the current school policies as "the most comprehensive [he's] ever seen". The Evaluation Team agrees that "there appears to be a well-thought-out procedure for almost any situation".

Other safety issues raised by the Salisbury School Board

76. The Salisbury School Board submission raised concerns of inaccurate reporting of sexual incidents to the Combined Board, citing the minutes from Combined Board meetings in March 2015 and April 2015 regarding incidents of assault at Westbridge Residential School and low-level sexualised behaviour at Halswell Residential College.
77. The Ministry has reviewed these minutes. The Westbridge Residential School Principal report to the Combined Board meeting of March 2015 records discussion around the number of students involved in assaults on staff (see Appendix 4). This does not refer to Halswell Residential College, but they have clear policies and procedures for managing and reporting incidents as described in the SAMS report.
78. The Halswell Residential College Principal report to the Combined Board meeting of April 2015 led to some discussion regarding issues around managing the behaviour of a student with significant developmental delay and intellectual impairment. The Principal of Halswell has confirmed that this was a low-level incident involving sexualised self-stimulating behaviour and soiling and no other students were involved. It was not required to be reported but was discussed to ensure that his needs could be appropriately met by the school.
79. The submission asks the Minister to request a report about summary of physical interventions as provided by Westbridge Residential School. However, we are satisfied that Halswell Residential College has robust policies and procedures in place that include appropriate reporting of incidents when they occur.
80. The Salisbury School Board submission urges you to seek a more detailed report about sexual incidences and physical abuse at Halswell, and claims that the information provided to you that there have been no incidents of sexual abuse is incorrect. The Ministry disagrees with this claim. The Ministry has also commissioned the 2016 SAMS review which provides a detailed report on the safety of students.
81. The Salisbury School Board submission refers to the affidavit of Professor Freda Briggs in the 2012 judicial review and in particular to research into the incidence of sexual abuse experienced by boys at Halswell Residential School. However, that research was carried out in 2005, well before the current principal or Combined Board of Trustees were in place. Further, while the abuse is stated to have taken place in "the school setting", there is no reference in the affidavit to the actual number of boys who were sexually abused at Halswell Residential College, and two of the boys emphasised that the abuse happened when they were very young, prior to enrolment at Halswell.
82. In the past four years Halswell has been reviewed twice by the Standards and Monitoring Service who found that the school has undergone a major review of their policies and procedures. The second review specifically looked at the safety of students and considers the school to be "as safe as possible for all its students regardless of gender". The evaluation team stated that "there appears to be a well thought-out procedure for almost any situation."

83. The Salisbury School Board submission asserts that the focus of the 2013 SAMS review was “too narrow”. The Ministry disagrees with this claim, and also notes that the 2016 review evaluated: the effect of introducing girls in 2014; the continued suitability of the College for co-educational purposes; the safety of students; and the response to the 2013 recommendations.
84. The evaluation was informed by the use of a number of developmental tools to take in to account multiple perspectives from a range of stakeholders. In this case the stakeholders included the school management, the acting chair of the Combined Board of Trustees, managers of the residential villas, teachers and teacher assistants, student representatives, student advocates, family representatives or caregivers of current female students and a male student, IWS psychologists, the speech and language therapist, school nurse and the school psychologist. The team also spoke informally with students and residential staff.
85. The SAMS review in 2013 evaluated the safety systems, programmes and processes in place at the time to identify what would need to be in place to ensure the safety of girls at the college. Although the evaluation at that time had no immediate concerns about the college, they made a number of recommendations to ensure the safety of both boys and girls in a co-educational environment. The broad reach of the latest review has confirmed that these recommendations have now been implemented to the satisfaction of the evaluation team.

Ministry Comment on Demand for single-sex special education provision

86. Submissions from Salisbury School Board, the and the PSA expressed the view that it was important to have single-sex residential provision for female students that had been the victim of sexual abuse or had experienced bullying by boys.
87. The research shows that both girls and boys are more vulnerable to the risk of sexual abuse if they have been abused in the past whether they are in a single-sex or co-educational environment.
88. One of the benefits of living in a co-educational residential environment with appropriate policies and processes in place for students and staff is that they can learn to live and function alongside peers of the other sex. Halswell has successfully developed a 'family' culture where students learn clear boundaries for intimate relationships and has effectively minimised affective interactions between students.
89. The school has comprehensive policies and processes concerned with the safety of students, abuse prevention and recognition and handling of disclosures.
90. However, there are also a number of single-sex schooling options available to students as an alternative to a residential special school. These include day special schools, mainstream schools and schools with boarding facilities.
91. IWS students have been supported to attend single-sex schools with a boarding facility when the needs of the student indicate that it would be beneficial and parents are in support of that option.

92. As in the future a student required single-sex special school residential support and this was not available through the special residential schools, then the IWS will be used to support them to attend another single-sex boarding school.

ERO Comment on Quality of Education Provision

93. The 2014 ERO review of Halswell Residential College found that since the previous report in 2008, the school had made significant progress in addressing areas identified at that time for further development. The school had: increased the use of direct teaching strategies for individual students; engaged in more clearly focused self review practices that promote positive outcomes for students; and ensured effective use of achievement information for individual programme planning.

94. In reviewing the Hostels, ERO stated that:

Staff are nurturing and supportive and maintain consistent expectations that students are familiar with and adhere to. Roster systems allow staff to be present in the villas at all times. Specific supervision during night-time hours strongly supports the safety and security of all students.

The 24/7 education programme allows staff to organise a variety of planned and informal learning experiences. These opportunities build students' competencies in managing themselves and developing independence in preparation for moving back to their home communities. Staff share notes about student wellbeing through the school's database. This approach effectively enables all staff to support students with any particular areas of concern.

95. The report concludes that:

Students benefit from useful and effective teaching and positive relationships with staff. The curriculum is adapted to better meet students' complex special needs. The minister appointed board is strongly focused on supporting staff in meeting students' needs.

96. ERO noted that up to five girls have been enrolled at Halswell since the start of 2014, and made no further comment in relation to the education of the female students at the school (see Appendix 5).

Background to the Intensive Wraparound Service

97. As a result of the review of residential special schools an alternative provision for students with high and complex behavioural needs was established through extending the Intensive Behaviour Service (IBS) to become the Intensive Wraparound Service.

98. The IWS was rolled out nationally from the start of 2013. An individualised plan is developed based on the IWS Psychologist's assessment, together with the family and the child. The interventions recommended in the plan can be provided by a number of services and agencies. This may include: The Ministry of Health; Child Youth and Family; Hearing and Vision; special residential schooling; private therapists, counsellors, mentors and psychologists. The IWS does not replace existing services but aims to better facilitate the supports available and bridge the gap between them in order to provide a more robust system of care around the student and the family.
99. The IWS currently supports up to 355 students each year who have high and complex behavioural needs and those with associated intellectual impairment. Demand is high, and in the last year there were 57 students who were unable to be immediately prioritised for IWS support; of these students nine were girls. All non-prioritised students have continued to receive support from other Ministry special education services, and some have accessed the IWS by resubmitting a later application.
100. All families whose children are prioritised for the IWS are given the option of their child accessing residential schooling through the service (this is intended to be for a short period of time only). Between 2013 and 2015, the families of only around 25% of IWS students have chosen to access the residential schooling option. With the IWS providing families with an effective and preferred alternative to residential schooling, the rolls across the residential special schools have experienced decline.

Note that the number 355 in paragraph 99 is a typographical error. The number of students supported by the IWS is up to 335.

IWS and Residential Special School enrolments

101. In 2014 the Ministry commissioned the New Zealand Council for Educational Research (NZCER) to look at aspects of the IWS to understand decision-making points and residential special school enrolment [1].
102. At the time NZCER found that most IWS psychologists provided information about residential special schools to all parents and caregivers and whānau they were dealing with, when residential schooling is considered an option. The NZCER report noted that the psychologist's action in this area was driven by the child's needs. Following this report IWS psychologists were instructed to ensure and follow up that all parents and caregivers of IWS students who indicated they want a residential placement are offered this option. All parents and care givers have been subsequently contacted and are aware of their options.

Ministry comment on the IWS issues raised by Salisbury School

103. The Salisbury School Board's submission raises concerns that the IWS assessment is discriminating against children with very high and complex Autism Spectrum Disorder (ASD) and Intellectual Disabilities (ID) who do not have a conduct disorder. The submission also suggests that Government Policy recognises that not all children can have their needs met in their local school.
104. The Ministry disagrees with this. The IWS currently supports students with autism who have complex behavioural needs, if the severity of their needs meet the criteria threshold. The criteria threshold for the IWS is targeted to those children for whom all local Ministry special education services have been exhausted.
 - All IWS students have the opportunity to enrol at a residential special school as part of the programme of support.
 - All IWS students receive a specialist assessment and an individual programme plan is developed to work towards meeting those needs with the long term aim of giving all students the skills to be able to live in their local community.
 - 49% of IWS students have been assessed using evidence based measures as presenting with high and complex needs and behaviours that would be identified as being on the Autistic Spectrum of Disorders.
 - Young people with high levels of need associated with ASD or ID are most likely to display complex behaviour under certain circumstances and so would be appropriately considered to receive IWS support.
 - The IWS criteria do not specify a level of intellectual capacity nor a diagnosis of 'conduct disorder' and so do not discriminate against any children with high and complex needs. IWS does have a significant number of students who have complex needs and students who are ORS verified high and very high needs.

⁽¹⁾ 'Intensive Wraparound Service: Understanding decision making points: IWS applications and residential school enrolment. NZCER 2014.

105. The Ministry disagrees with the comment made by the Board of Salisbury School that Māori and Pasifika children with ASD/ID are being disproportionately disadvantaged in terms of access to the IWS.
106. The majority of students who receive intervention programmes through the IWS are Māori and Pasifika students. Between 21 July 2015 and 21 July 2016, 109 students entered the IWS. The ethnicity of these students is as follows; Maori, 52 (47.7%), Pākehā 45 (41.3%), Pasifika 10 (9.2%) and Asian 2 (1.8%).

Evaluation of the IWS (July 2015)

107. The latest assessment report on the IWS (undertaken by NZCER) found that:
- The students who are prioritised into IWS have complex and challenging needs, and documenting progress for these students is also complex. They have a range of unmet needs across a number of areas and progress is variable across different areas of their life and across time
 - Students who are referred and prioritised have already been receiving Ministry services through the Ongoing Resourcing Scheme (ORS), Severe Behaviour Service, Resource Teacher Learning Behaviour (RTLb) and/or Special Day Schools. These core services continue when the student is prioritised for IWS.
 - despite their complex needs, many students made significant progress while receiving IWS support — progress that was remarkable in a number of cases given their history prior to receiving that support. They made sufficient progress to be able to be enrolled in and attend school on a regular basis. Many of these students had been out of school or were unable to attend school on a regular basis prior to receiving IWS support. Therefore this was a significant change.
 - maintaining attendance at school is an important outcome. The findings predict that, of the 28 case study students still receiving IWS, 14 are likely to maintain their full-time attendance at school or post-school option, and four were less likely to. For the other 10 students it was difficult to predict their transition back from residential special school to a local school, though many of those students were making good progress at the residential schools. For the four students who had finished with IWS support, two remained in school and the other two were not in school or not in school full time.
 - three-quarters of the students in our case studies made progress in learning and/or independent living skills.
 - over two-thirds of students made progress in the key life competency areas of **Tinana** (respect for the safety of others), **Hinengaro** (mental health) and **Mana motuhake** (self-concept).
 - fewer students (less than half) made progress in the key life competency areas' outcomes related to **cultural identity**, **Hononga** (friendships) and **Ngā takaro** (leisure activities). A range of factors relating to students, families or IWS teams made these areas more complex to address or maintain.

Parents, Family and Whānau

- all but one of the parents/caregivers were highly positive about the IWS for their family and whānau.
- for many, relief was evident that their children were receiving effective support.
- the IWS was providing strategies for families to support their child, giving them more choice and self-determination when working with schools and other government agencies and services.

Schools

- there was increasing agreement by principals and schools that the IWS as a model would work.
- our surveys and interviews indicated that the IWS was an enabler for many schools with great results for the students, and that there is school ownership of the IWS plan in many instances.
- there is evidence of increased teacher efficacy and confidence in some schools because of the IWS.
- there are ongoing challenges in the role of teacher aides, and in getting the right teacher aides to support students and teachers.
- there remain ongoing pressures on school staff time and resources in relation to IWS plans.

IWS Team Members

- the IWS psychologist role is clear for most.
- there is less clarity about lead workers' roles.
- there were some examples of skilled exemplary practice which appeared from our multiple data sources to be clearly linked to remarkably positive progress for students.
- there were fewer Pasifika students receiving IWS support, and many IWS team members identified the need for more support for Pasifika students and their families.

Other Government Agencies

- a major finding in this evaluation is that links across government agencies are frequently not as good as required to ensure the best outcomes for students and their families and whānau.

Transitions

- transitions are multiple and challenging for IWS services.
- there were some complex and challenging but successful transitions.
- unplanned transitions have the potential to significantly reduce continuity of support for students.
- transitioning out of IWS support into post-school options was relatively new for the IWS, and there were less-clear pathways and processes for this aspect of transition.

Ministry Comment on the Financial Viability of Halswell Residential College

108. Halswell Residential College currently has a Notional Roll of 32 students which generates 7.9 FTE teaching staff and an operating grant of \$452,773 including GST. The school also receives an additional \$2,822,812 including GST as a residential school.
109. Despite concerns noted in the minutes of the Combined Board during 2014-2015 about operating deficits and the financial long-term viability of both schools, the accounts submitted on 31 December 2015 state that Halswell Residential College had working capital of \$774,692 and cash reserves of \$779,728. Westbridge Residential School had working capital of \$2,120,669 and cash reserves of \$2,602,978.
110. The Combined Board manages both schools and collectively has cash reserves of \$2,895,361 and working capital of \$3,382,706. The Combined Board's 2015 financial statements are attached as Appendix 6.
111. The Ministry is reviewing the funding model for all special residential schools. A final decision regarding the funding model is expected to be made in October 2016, ready for the 2017 school year. The Combined Board and the Board of Salisbury School will be involved in this process, and the new funding arrangement will apply to all three special residential schools.
112. The Salisbury School Board submission states that the Combined Board minutes indicate that the proposal "to become co-educational is the board's least preferred option and is based purely on financial necessity." They then state "it is inappropriate to extend co-educational status to a school on the basis of its financial insolvency".
113. The Ministry disagrees with this claim. The Combined Board is in a sound financial position and the Ministry is currently reviewing the funding of all special residential schools. Halswell Residential College has had a goal of becoming co-educational since 2012, and as the application states their motivation is to give co-educational opportunities to more young women.
114. The Ministry does not consider that Halswell Residential College is at financial risk. We are continuing to work with the Combined Board to review their operating costs as part of the funding review.

Ministry Comment regarding to Governance at Halswell Residential College

115. The Salisbury School Board submission raised concerns related to the minutes from a number of Combined Board meetings which question the quality of school governance.
116. They note that the minutes from the Combined Board meeting in February 2015 suggests that Halswell Residential College was experiencing staff shortages and struggling to find staff to support highly-challenging behavioural needs. The 2016 SAMS report notes the College employs a large number of highly-qualified staff, including teachers and support workers in the day school and Individual Education Plan Co-ordinators and Youth Workers in the residences.
117. The November 2015 Combined Board minutes have been referred to in the Salisbury School Board submission to suggest that inclusion in the UK is not working and this trend is likely to occur in New Zealand. The item refers to an HRC teacher's sabbatical to the UK to look at engagement of students in special education. Any reference to the success of inclusion in the UK is an expression of his opinion rather than evidence of a trend across either that country or New Zealand. (see Appendix 7.1)

Ministry Comment Single-sex education and boys' learning

118. The submission raises the issue of data showing that boys learn better in single-sex schools
119. Recent New Zealand studies show that boys' achievement is a complex area. The 2015 ERO review *Boys' Education – Good Practice in Secondary Schools* draws on case studies from both co-educational and single-sex settings. This research shows that in recent years, several indicators including international studies, NCEA data and the school leaving qualifications of boys and girls recognise this difference.
120. Research indicates that achievement for boys is connected to issues of male identity formation - specifically how boys see themselves as learners.
121. There is a range of approaches that have been tried to raise the engagement levels of boys but overall there have been few definitive answers on what is effective for all male students in school settings.
122. The Ministry's research *Boy's Achievement – a Synthesis of Data* concludes that the key strengths across the schools with high achievement for boys is the extent to which good relationships and relevant teaching and learning characterise many of the initiatives that have been implemented.
123. As students at special residential schools have individual education plans and staff work closely with students to achieve their goals, we consider that regardless of whether boys are in a single-sex or co-educational setting, they are being supported to achieve to their potential.

Ministry Comment on the future management of Halswell's role in education provision

124. The submission from the PSA raised concerns about staffing, funding and roll management at Halswell Residential College.
125. The Ministry annually reviews the notional rolls of the residential special schools. Currently Halswell Residential College has a notional roll of 32 students which generates 7.9FTE. If the school was to change and become co-educational this would have little effect on the staffing provision as the school is not operating at full capacity.
126. The cumulative enrolment trends over the previous years are used to inform the future notional rolls for all special residential schools. An adjustment to the notional rolls of any of the three schools will result in a corresponding adjustment in resourcing for teaching and residential staff.
127. To assist schools with exceptionally challenging students, the IWS provides risk and safety assessments, planning, intervention and resources to support students, staff and school processes and procedures to ensure their safety. In addition, the Ministry's Interim Response Fund (IRF) is available to keep students engaged in learning following a significant behavioural event. It gives funding for a short-term response while a more comprehensive intervention plan is devised.
128. These support options can be utilised by Halswell Residential College to facilitate transitions for students. IWS resourcing and IRF funding is provided on a case-by-case basis in consultation with the IWS Psychologist or Senior Advisor (if IRF) and Special Education.
129. The Combined Board has put policies and procedures to ensure staff and students are kept safe at all times. Students are well-versed in the 'rules and expectations' set by staff about relationships and student behaviour.
130. The Combined Board is committed to ensuring staff are well-trained and supported in working with students who present with high and complex needs. Professional development is offered by different providers as well as by the Ministry of Education.

Vulnerable Children's Act 2014

131. The introduction of the Vulnerable Children's Act 2014 further strengthens the provision for the protection of children in state and state-integrated schools. The requirements of that Act mean that all staff and contracted services working directly with students must be vetted through the New Zealand Police.
132. Schools must also ensure that they have a child protection policy and that this is freely available. All staff members (including contractors and volunteers) are expected to be familiar with this policy, its associated procedures and protocols, and to abide by them. This policy needs to be reviewed every three years.
133. The Combined Board has adhered to this legalisation and has set policies in place to manage the well-being of students in its care.

Ministry Comment on Property at Halswell Residential College

134. The Ministry is currently redeveloping the Halswell Residential College site as part of the Christchurch Schools' Rebuild. In 2014, we developed a project brief which would see the school property and student 'family style' villas redeveloped. The new build caters for the holistic 24 /7 education programme set by the College.
135. The project was launched on 15 April 2016 with Minister Kaye representing you at a sod-turning ceremony at the College.
136. The property redevelopment includes the complete demolition of the old institutional-style villas, construction of four eight-bed villas and a multi-purpose learning studio, structural strengthening of the main school buildings, and an upgrade of the Carers' accommodation.
137. The overall property budget is \$9 million. The construction period will run until January 2017 and facilities will be open for the start of the 2017 school year.
138. The project is focused on providing high-quality residential facilities for up to 32 learners. The smaller family-style villas each include shared bathroom facilities, a kitchen and dining area, TV lounge, reading lounge, and laundry. Outdoor decks provide private spaces for each unit.
139. The new multi-purpose learning environment will provide a community space for whole-school gatherings and recreational activities out of school hours.
140. The Carers' accommodation is for whanau visits at the beginning and completion of a student's stay. This will support transitions for students and their families.
141. The inclusion of female students will not have any impact on the design of the villas as they have been built with both girls and boys in mind.

Risks

142. Should you decide to make Halswell Residential College co-educational, there may be some interest from the media and general public due to the matters highlighted by the 2012 judicial review. Concerns are likely to focus on the safety of girls in a residential special school environment.
143. In order to mitigate this, the Ministry will ensure that clear messages are provided about the ability of Halswell Residential College to provide a safe co-educational environment for young people with intellectual disabilities and challenging behaviours.

Conclusion

144. The information provide in this report responds to the issues raised in the submissions received on the proposal to make Halswell Residential College co-educational.
145. The Ministry recommends that you approve this application for Halswell Residential College to become co-educational.

146. After considering the application from the Combined Board of Halswell Residential College and reviewing the submissions, the Ministry recommends that you consider approving the application on the basis that:

- it has been demonstrated that there is a demand from parents to be able to enrol their daughters at Halswell Residential College and there are recognisable benefits to co-educational residential special education. The current limits on female enrolments are preventing the school from fully meeting this demand
- the SAMS review, the ERO Review Report and the Combined Board's own monitoring and reporting has demonstrated that Halswell Residential College is able to provide a safe environment for both male and female students
- the quality of the school's education provision is sound
- there are no significant property or financial implications associated with this change.

147. If agreed the Ministry will support Halswell Residential College to implement this change.