

Statutory Interventions Scoping Report

Key Intervention Details

Statutory Intervention: Commissioner appointed under section 181(1)(2) of the Education and Training Act 2020

Board: St Marcellin School Board

Intervention Effective From: 25 February 2021

Name of Commissioner: Dr Brendon Te Tiwha Puketapu

Name of Scoping Consultant: Kevin Palmer

Statutory Provider to Date and Sign

Physical signature or printed name: Dr Brendon Te Tiwha Puketapu

Date: 3 June 2021

Note to Statutory Providers: All information produced in this document (and any other document relating to this intervention including emails) may be accessible by the public under the Official Information Act 1982. Personal information about individual employees at the kura/school may also be accessible under the Privacy Act 1993. You may seek advice from New Zealand School Trustees Association [Advisory and Support Centre](#)¹ and/or look at the [Ombudsmen Guidelines](#)² to understand what can be withheld.

Situation Background

The Board's view is that their efforts, alongside the Limited Statutory Manager, to manage the key issues facing the School have been impaired by the decline in trust and confidence in their Principal. They believe the key issues will be more effectively progressed through one person acting as the Board via a Commissioner.

¹ NZSTA Advisory and Support Centre: For governance advice contact 0800 782 435 (option 1) and for employment advice contact 0800 782 435 (option 2).

² Ombudsmen Guidelines: <http://www.ombudsman.parliament.nz/resources-and-publications/guides> .

The Evidence for this Scoping

As part of this scoping exercise conducted by the independent review consultant (Kevin Palmer) contracted by the St Marcellin School Commissioner, the Principal (as the CEO), was requested to gather, collate and provide the following information:

Requested Documentation List:

- St Marcellin School 2021 - 2023 Charter/Strategic Plan - **provided**
- St Marcellin designated Special Character components/focuses – **in various papers**
- St Marcellin School 2020 and 2021 Annual Plans and 2021 Targets – **provided**
- Identification and tracking process for at-risk &/or target learners – **not provided**
- St Marcellin School 2020 and 2021 Budgets – **requested again but not provided**
- St Marcellin School 2019 and 2020 finalised Annual Accounts – **2019 provided, 2020 not available as yet**
- St Marcellin School 2019 Auditors Management Reports – **2020 provided – some areas of High importance to be addressed re risks**
- St Marcellin School 2019 and 2020 Annual Reports including the 2019 & 2020 Analysis of Variance (AoV's) – **2019 AoV found in 2019 Annual Report, 2020 not provided**
- St Marcellin School's two most recent ERO Reports – **sourced myself**
- The most recently completed ERO Board Assurance Statement (BAS) - **provided**
- Any Board/School Change & Improvement Plan and any progress reporting – **not provided**
- The 2019 school roll number with Year Level, ethnicity and genders – **not provided**
- The 2020 school roll number with Year Level, ethnicity and genders – **roll number & Year level yes, ethnicity & gender no. Some gender and ethnicity information provided within the 2020 Annual Plan targets section**
- If there any complaint letters that are before the Board/Commissioner – **9(2)(ba)(ii)**
- If there are any Personal Grievances (PGs) before the Board/Commissioner – **9(2)(ba)(ii)**
- Name of the school's financial services provider and contact person details – **yes, Service Provider name and some copies of Monthly Accounts provided**
- A copy of each of the 2020/2021 Monthly Accounts and any notes to variances – **yes, some**
- Any details of any other risks that are known to the Principal/Commissioner – **not provided**
- List of current Board members, contact numbers, role descriptions, members term of office, length of Board experience, etc (only of applicable) – **Board has resigned but previous Board names found in 2019 Annual Report, no to 2020 members**
- List of names of other important kaumatua and wider community members – **provided**
- Any real or potential conflict of interest situations involving staff, Board, Commissioner or community – either declared or undeclared – **potential, Commissioner/Principal**
- Full Teaching and Support Staff lists including position, permanent or fixed-term with start/end dates, role/Job Descriptions, Teacher Registration numbers and expiry dates, any teacher registration extensions and/or Limited Authority to Teach registrations – **provided – teachers up-to-date**
- Police Vetting details/dates on all support staff (and relevant contract staff) – **yes provided but are out-of-date - Police vet updates now submitted and pending**
- Any Exit Surveys of teachers and any other staff who have left during 2019 and 2020 and their contact details – **not provided**

- Any Teaching and Support Staff positions advertised and/or appointed in 2019 and 2020 (if any) and the accompanying Job Offer letters – **not provided**
- All Personnel files are to be made available for my checking and review – **access not provided**
- Copies of any print media reports on any school events and school issues - **none**
- List of any other staff positions that are 'attached' to the school (if applicable) – **n/a**
- Copies of all 2020/2021 School Newsletters - **a number provided**
- An update on the school website and school's Facebook page – **website and FaceBook page active and contain good school related information**
- All Board Policies Framework – **SchoolDocs, not yet updated specific to the school**
- All Management Procedures to support Board Policies – **not provided**
- 2020 and 2021 MoE Staffing Entitlement Notices – **2021 provided**
- 2020 and 2021 MoE Grant Funding Entitlement Notices - **2021 provided**
- 2020 and 2021 Board Work Plan/Calendar(s) – **2020 sighted**
- 2020 Board Self-Review Schedule - **2020 sighted**
- Board Committees/Portfolios – **not provided**
- 2020 Board Schedule of Delegations to Principal - **not provided**
- 2020 Board Minutes and Agendas for all Board meetings - **provided**
- All 2020 Principal's Reports to the Board/LSM/Commissioner – **most provided**
- Board Code of Conduct – **not provided**
- Staff Code of Conduct – **not provided**
- Student Behaviour Management process/system – **not provided**
- 2020 Staff & School Information handbook/booklet – **not provided**
- Board meeting processes, procedures descriptions – **n/a**
- Complaints Process/Procedures (may be contained within a policy) – **not provided**
- Disciplinary Process/Procedures – staff and students – **not provided**
- 2019 and 2020 Principal's Performance Agreements – **not provided**
- 2019 and 2020 Principal Appraisal Reports – **not provided/available**
- Staff Appraisal process/system documentation – **Arinui system referred to in 2020 Board Minutes, Arinui Guidelines Handout & Teaching Council appraisal components diagrams overview provided – implementation is unclear**
- 2020 Teaching staff appraisals (summaries will suffice) – **not provided**
- 2020 Support staff appraisals (summaries will suffice) – **not provided**
- Curriculum/Areas of Learning school-wide planning documentation – **a simple overview but nothing detailed**
- School's Localised Curriculum documentation &/or progress towards - **not provided**
- School's staff Professional Learning & Development (PLD) Plan & priorities – **some referred to in Board Minutes/Principal Reports but PLD Plan not provided**
- Copy of any MoE PLD applications - centrally funded or Kahui Ako process – **PLD Journal from 2019 and 2020 Plan provided with some notes included**
- Teachers' student achievement focused Teaching as Inquiry topics, questions – **not provided**
- Curriculum Levels Assessment tools/processes used – **referred to in Principal Reports**
- Name of school's Student Management System (SMS) - **eTap**
- A copy of the school's enrolment forms and information - **sighted**
- Student Attendance Year 1 – 8 data for 2020 and 2021 to date – **not provided**
- Student Retention and Student Engagement (Stand-downs, Suspensions, Exclusions) data for 2020 and 2021 to date (if any) - **not provided**
- Student Achievement (SAF) Plan and progress report (if any in place) – **n/a**

- Positive Behaviour for Learning (PB4L) Plan and 2019/2020 data (if in place) – **not provided**
- Current or previous Board and school documentation and implementation plans for Ka Hikitia, Pasifika Education Plan and Success for All – **not provided**
- any other Ministry of Education related initiatives the school is involved in – **not provided**
- details of the school's insurance company/cover and their contact person – **Crombie Lockwood**
- any other school-related documentation that you believe is relevant.

All the participants in this scoping exercise have consented to take part in this process and they have all been co-operative and engaged showing professionalism, sincerity and honesty in providing their own views and perceptions.

All the participants stressed that they did not have any personal animosity against any other person involved in the school and they also acknowledged that the present situation at the school was stressful for both themselves and likely for others too.

A number of the documents as outlined above were provided as part of the scoping exercise, a number of the documents were not provided, or they were provided as a previously/outdated version of the documents that were requested. There appeared to be a break-down in the communication between the Principal and the part-time Office Administrator about who was to collate what information and it was accepted by the Principal's as her responsibility to ensure that this was all made available and organised in a manner that enabled the documentation to be reviewed easily.

At the first visit the Principal, two full-time teachers, one part-time (0.2) teacher and the Office Administrator were interviewed. Subsequent arrangements were also put in place to interview the former Board Chair, the Catholic Diocese Schools Education Manager and another teacher (0.8) who had been off the school site on the day visited.

Many of the staff have been at the school for a number of years. The Principal has been at the school for over five years, one teacher eight years, another teacher four years and another teacher has been more recently appointed. One support staff member has been at the school for over twenty-years and another for at least seven years.

Unfortunately, the planned follow-up meeting with the Principal to gain access to the documentation not available at the first visit was unable to take place for a period of time due to the unavailability of the Principal at the school. Enquiries with the interim acting-Principal indicated that they were not able to provide the rest of the documentation or answer any questions on the matter.

Thus, this scoping exercise was effectively on-hold for a significant period of time.

Subsequently, a second scoping visit to the school was undertaken once the Principal had returned to school into the new school term. During this visit some time was taken by the scoping consultant with the Principal to try and make sense of the various documentation requested and to gain the Principal's view of the school.

9(2)(ba)(i)

Identified Strengths

Strengths identified included:

- *small class sizes*
- *settled school tone*
- *special character values*
- *school values*
- *a generic student learner profile*
- *a Year 7/8 planning overview*
- *expansive school grounds*
- *an experienced school administrator*
- *classroom teachers who want to be happy and effective in their work and for the school to progress*
- *a Principal who indicated that they wanted the various issues at the school to be resolved and for progress to be made*
- *a former Board Chair who expressed a desire for the school to operate more collaboratively and effectively*
- *a Catholic Schools Manager who was keen to see the required progress and improvement at the school*
- *a draft 2021 – 2023 Charter/Strategic Plan and 2021 Annual Plan has been done*

Issues Analysis

Evaluation, Inquiry and Knowledge Building:

Teachers are aware of priority students in their own class and appear to have made genuine efforts to accelerate achievement but there is a lack of cohesion across the school in regards monitoring the impact of any new actions or initiatives – despite significant PLD hours allocated and completed in 2019 and 2020.

There is a lack of obvious leadership around fostering collaboration across teaching classes or of developing a shared understanding of collective responsibility across the school for at-risk and all diverse learners.

9(2)(ba)(i)

A common comment was that at times things are put on an agenda but not then covered, at times initiatives are talked about but then not properly planned or implemented, and that communication is often poor or muddled.

Teachers have planning in place but this planning is variable and often in isolation due to a lack of collaboration, shared understanding and a lack of clear direction and consistent expectations across the school.

9(2)(g)(i)

Professional Learning and Appraisal:

Whilst there has been a range of external Professional Learning & Development (PLD) including that with a focus on writing (and some reading) literacy and the use of PACT in the school, there has not been the expected impact on improving teacher practice and confidence sufficiently to effect sustained student achievement gains.

9(2)(g)(i)

9(2)(ba)(i)

9(2)(ba)(i)

Teachers have had Inquiry goals but these have not been particularly well shared nor self and peer evaluated in terms of professional growth or impact upon student learning.

School Curriculum and Achievement Goals:

Curriculum documentation is muddled. There is no cohesive, comprehensive localised curriculum across the school although the Catholic Parish environment and the special character Catholic components and values of the school do provide the basis for this to be more fully developed.

9(2)(ba)(i)

9(2)(g)(i)

9(2)(g)(i)

9(2)(a), 9(2)(ba)(i)

9(2)(g)(i)

Equity of Achievement Outcomes:

End-of-year student achievement data around target areas indicates that between 40% - 50% of students are achieving at or above the expected levels across Reading, Writing and Maths.

Some student targets and achievement results for accelerated achievement are evident from 2019 and 2020 as individual teachers increased their knowledge and practice using PACT particularly in writing proficiency and at the Year 4 – 8 Levels of the school.

A full break-down of improved achievement results for Maori, Pacifica and non-Maori data was not available although some OTJ data for Tier 3 Learners in reading and writing from 2019 was contained within that AoV Report. This was attributed to improved teacher practice at the time of greater clarity around learning intentions, more explicit teaching in instructional lessons (no specific detail given), improved teacher knowledge of features of writing, increased learner success and self-belief.

An Assessment Schedule is in place but it is not clear how well this is utilised by leadership or teachers or if is used in a timely manner.

Professional Learning & Development (PL&D) has been planned for and implemented with teaching staff to focus upon lifting leadership and teacher evaluative and instructional capability but this does not seem to have had the desired sustainable impact.

9(2)(ba)(ii)

9(2)(ba)(ii)

[Redacted]

[Redacted]

Risk Analysis and Policies and Procedures:

The previous Board completed an ERO Board Assurance Statement (BAS) in September, 2020 in preparation for the next ERO review visit (which has not yet taken place) as part of the school's longitudinal review cycle. There were a significant number of areas where the Board (which includes the Principal) were unable to attest that the school was compliant with legislative requirements. 9(2)(g)(i)

[Redacted]

The Principal reports that the school is using SchoolDocs for its Policy Framework but that is still some considerable review and modification required around the polices to tailor these specific to St Marcellin and its special character. Sample Catholic school policies have been provided from the Catholic Schools Office but these have yet to be fully utilised.

It is not clear if the school has adequate or sufficiently widely known Procedures at a management level to support the Policy Framework at an operational level. The Principal advises that this is a work-in-progress.

There have been repeated issues around the legislated requirements and balance of (Catholic) preference and non-preference (none-Catholic) enrolments with non-preference enrolments exceeding 5% of the total roll.

The current total roll at St Marcellin School is 44. Of these students, 25 are preference students and 19 are non-preference students. This is currently one student over the 5% (18) maximum non-preference roll allowance on a maximum school roll of 360. The Principal indicates this has been approved by the Catholic Schools Diocese Office.

A concerning aspect of the school roll and preference/non-preference balance is the reality that the total preference and non-preference total roll are not too dissimilar in number and that it is likely that the non-preference roll will equal or may exceed the preference roll in 2022.

An analysis of the current roll number, the number of current Year 8 leavers and the expected number of new enrolments, indicate that the total school roll in 2022 will be approximately 36 students. Of these 36 students, 18 will likely be preference students and 18 will be non-preference students.

With the maximum school roll being potentially 360 students the 5% non-preference roll is set at a maximum of 18 students. Given that the total current roll is only 44 students, the current non-preference roll of 19 students is currently 44%. With the projected roll in 2022 likely being a total of 36 students (with 18 preference and 18 non-preference), then the non-preference student roll rises to 50% of the total roll.

This is an issue that the Catholic Diocese Schools Office will need to give consideration to as this has a potential impact on how the special character aspects of the school are promoted, maintained and delivered.

The declining school roll may also have a potential impact upon the viability of the school itself, particularly when there are other Catholic schools in the city which could absorb the Catholic preference students currently enrolled and the fact that there are a range of other nearby state school options that could absorb the non-preference enrolled students as well.

The school occupies a large campus and buildings are designed for a school roll of up to approx 350 students but there are only approx 44 students currently on the school roll. A number of the buildings are currently unused and it looks like required maintenance and the associated costs will be an increasing problem for the school. Alternatively the Catholic Diocese may need to consider rationalising and demolishing some buildings onsite to reduce their property related risks and ongoing maintenance costs.

Unfortunately, as the student roll number is small and the number of unused and unrequired buildings on the site is significant, it is more difficult to create a matching small school atmosphere in the current circumstances.

9(2)(ba)(ii), 9(2)(ba)(i)

[Redacted]

[Redacted]

9(2)(g)(i)

9(2)(a), 9(2)(ba)(i)

The school's actual 2021 roll as at March 1st, 2021 is 42 students. This provides for 2.5 roll-based staffing but given that the provisional roll was 52, the 2021 assured staffing is 3.5 teacher positions. Currently the teaching staff includes the permanent Principal (1.0), two permanent full-time teachers (2 x 1.0), one (newly) permanent part-time teacher (0.8) and one fixed-term part-time (0.2) giving a total staffing number of four teachers (4.0) which is 0.5 over the currently assured 2021 staffing.

9(2)(g)(i)

It is also likely the case that any further teaching position (if staffing entitlement had allowed it) should have been Catholic special character tagged.

The Confirmed MoE Staffing Entitlement Notice (dated March 18, 2021) indicates that staffing needs to be reduced by one (1.0) full-time equivalent position and two management units (MU's) based upon the current assured staffing of 3.5. Given that current staffing is actually four (fte's) teachers, then the school is likely to need to reduce staffing by 1.5 teachers for 2022. As the school currently only has two MU's and these are to be lost, there will be no additional management units for added staff responsibilities.

This will likely mean a surplus staffing process will be required and that the current three classes may have to reduce to two classes unless the (Board) Commissioner and/or Catholic Schools Office can provide additional funding for teacher staffing.

Planning, Assessment and Reporting:

There are a range of strategic and operational plans, teaching and learning programmes, teacher planning templates and assessment schedules in place but they lack cohesion. 9(2)(ba)(i)

The Principal reports that the Arinui appraisal (and teacher inquiry tool) was being introduced to address appraisal evidence gathering concerns and indicated that Arinui would also address the introduction of requirements associated with the Professional Growth Cycle. The Principal had provided the Board with handout details within a Principal Report of what the professional growth cycle would 'look like'. 9(2)(a), 9(2)(ba)(i)

Board Minutes indicate a mis-match between Board expectations around student attendance, engagement, progress, achievement and well-being reporting from the Principal. The Principal refers to various Minutes and Principal Reports as Current state of plans, reporting and assessment documentation and practices.

The Principal indicates that it is a priority in her role to ensure that the Catholic Special character components of the school are a priority, particularly as she is the only full-time Catholic teacher in the school (two x 1.0 full teachers and one x 0.8 teachers are non-Catholic; and one x fixed-term 0.2 teacher and the one x full-time Principal are Catholic. The Principal therefore also has responsibility as the Director of Religious Studies (DRS).

The Board and Commissioner (and the earlier ERO review feedback) indicated that progress reporting against the Budget and Charter/Strategic Plan and Annual Plan goals and achievement targets lack overall cohesion and sufficient evaluation of resource allocation, actions taken, personnel involved and the actual measurable impact of the initiatives and associated spending.

Issues Not Apparent at Outset of Intervention

Overall Assessment of Risk Level

A potential concern for the Catholic Diocese Schools Office is evident around the balance of preference and non-preference students at the school and the viability of the school moving forward given the continued downward trend in the school roll and the ready provision of space for Catholic students at other Catholic schools in the city.

The Catholic Special Character Review report (Nov2018) indicated a number of students had been enrolled as preference students when they were actually non-preference.

9(2)(a), 9(2)(ba)(ii)

9(2)(ba)(ii)

9(2)(ba)(i), 9(2)(a)

9(2)(g)(i)

Catholic community disengagement and concerns with the school as evidenced by a continued declining of the roll and the turnover of elected and co-opted/selected parent/community and proprietor Board of Trustees members.

The overall level of risk to sustained student engagement, progress, achievement and well-being is high in the present circumstances.

Other Governance Activities

The 2021 – 2023 Charter/Strategic Plan/Annual Plan has yet to be submitted to the Ministry of Education (MoE). The Principal reports the plan was compiled by an external acting-Principal at the end of 2020 and while it's not her plan she accepts that is the plan that the Commissioner has indicated will be implemented. The Principal had updated her own 2021 – 2023 Charter/Strategic/Annual Plan based upon previous Charter documents.

9(2)(g)(i)


9(2)(a), 9(2)(ba)(i)

Any Further Comments


Board members, teachers and support staff indicated that they found the Principal to be a kind, empathetic and caring person with strengths in te reo and te ao Māori and Catholic special character 9(2)(ba)(i)

The continuing fall in the school roll number and the situation around the imbalance of preference and non-preference students and the lack of sufficient pending enrolments places the school in a potential surplus staffing situation and possibly at the risk of eventual potential future closure.


9(2)(ba)(ii)



9(2)(g)(i)




9(2)(g)(i)



There is no doubt that all of the participants involved in this scoping exercise, including the Principal, are all good people and that they have been genuine in their intentions and the sharing of their views from their own perspectives.

9(2)(ba)(i)



Given the school is under a longitudinal review process, the school is well overdue for a follow-up Education Review Office (ERO) visit. It is recommended that the ERO review team re-schedule their next comprehensive external review of the school – and with some urgency. Both the Principal and Commissioner have indicated that they are keen to see ERO re-engaged with the school and the review visit should be re-scheduled sooner rather than later.

This scoping report is based upon the documentation provided and the information gathered directly from the participants interviewed in the scoping process and it has been written and reported in good faith. The St Marcellin School Commissioner and the MoE should form their own judgements and make their own decisions in respect to any information contained within this report. Kevin Palmer

Additional information for Statutory Providers is available in the [Further Guidance Document](#).