

Subject: Re: Ruru Specialist School
From:
Sent: 13/07/2015 8:31:49 am
To: "Graham Randell" <

Dear Graham

Thank you for responding.

I do understand that it is not ERO's role to investigate complaints as both you and Russell Wallace have pointed out in correspondence to me. Neither did I ask or expect that to happen. I wrote to Mr Wallace simply to inform him of the complaints we made about the school, offering to discuss the concerns outlined in my email with him. The email was also to ensure Mr Wallace was aware of the investigation, leaving no doubt in my mind that he would receive a copy of the report from the school BOT, if not forthcoming certainly by way of request.

It is also my understanding that education reviews, which are based on investigation, the gathering of evidence and the evaluation of that evidence, generally cover wide areas of interest. As part of the review process I understand that it is standard practise for ERO to meet with staff, members of the board, management, students, and parents. They sight documentation including policies and procedures and evidence of compliance with statutory obligations. They then analyse and synthesise the information they obtained from all sources, record findings and make judgements. The report is based on the evidence and information they gathered.

It seems to me, Mr Wallace not only dismissed my contact with him as a concerned parent and trustee of the school, but he clearly rejected my claims when drafting the review.

You state in your email that in the ERO Board Assurance Statement and Self-Audit Checklists documents they (BOT and Principal) attest they had taken all reasonable steps to meet their legislative obligations relating to health, safety and welfare. As I previously advised in my correspondence to Mr Wallace, I had no knowledge of the existence or use of the seclusion room at Ruru Specialist School. The independent investigation report also questions "scant discussion led me to wonder if all Board members had seen the safe room". This confirms trustees gave their assurance for areas they had no knowledge of.

You refer to the seclusion room in your correspondence as a 'safe area' room. The investigator Terri Johnstone, loosely described the way staff used the room, at a recent meeting, confirming student's freedom to exit was decided by staff. The description of it's use confirms it is a seclusion room.

Seclusion practices are a particular type of restraint where a person is placed in a room or area from which they cannot freely exit. Seclusion involves:

- containment
- isolation
- reduced sensory input

New Zealand Mental Health Services – Seclusion is the confinement of an individual in a locked room from which they have no egress and is widely regarded as one of the most restrictive practices used in modern psychiatry.

Ruru Specialist School is a public school.

Surely, if ERO had viewed the room prior to 2015, and collected all documentation pertaining to its use, and evidence of compliance (eg; parents advised, cross-checked) since it was purpose built many years ago, there would be some reference to its use and existence by ERO in reviews of the school, given the very extreme nature of this type of behaviour management. ERO should have also reported that the seclusion room at Ruru Specialist School does not meet New Zealand standards. ERO would have also discovered that in fact procedures in place were not being adhered to (eg Parents and Caregivers will be notified). No reference to the seclusion room in past ERO reviews leads me to believe either, ERO had no knowledge of the room prior to 2015, or were also keeping it a secret along with school management, therefore also failing parents, students and the community.

With reference to the comments made at ERO visit 2015, even if it was the Board's interpretation of what ERO said 'ticks all the boxes', Mr Wallace should have been able to identify that the seclusion room was in fact totally unacceptable (even after a 'make over') and reported so in the Unconfirmed ERO Review. Parents have the right to know and prospective parents have the right to know so they can make informed choices regarding schooling choices for their child. At the time of the ERO visit it is true the room was not being used (due to our complaint), however as Mr Wallace was unaware of the outcome of the investigation he should have considered it was potentially going to be used again as a form of behaviour management by the school.

At a recent meeting with MoE management, I got the impression they were shocked to discover we had been forwarded a copy of the unconfirmed ERO review. It was sent to our lawyer by the schools lawyer commenting "we thought it may assist in reassuring your client notwithstanding their perception of their experience." I have no doubt ERO will be also disappointed that we have a copy of this report, however if we had not advised the MoE that we received a copy, your office would not have been contacted and the unconfirmed ERO report would have been published and public knowledge.

Your final statement to me "as you can see from the above information, the focus of the ERO review was different from the MoE independent investigation." Given the allegations of student abuse specific to our son as well as other students, the allegations of deception by management and BOT, advice policies and procedures were not being followed, and upon viewing a seclusion room, Mr Wallace should have been on high alert. After reading the MoE investigation report you will see that it is in fact a critical piece of information about the school and the way the Board operate, and as I have expressed previously, it is a stark contrast to ERO's unconfirmed review.

I am so disappointed. Standing up for others and reporting of suspected abuse is not easy. The students of this school and their families are extremely vulnerable and have in most cases, like us exhausted all other suitable education options. These people, however deserve to know the truth, and above all else, the students deserve the right to be treated with care, respect and dignity.

Ruru Specialist School management have misled, prospective parents, parents, Board of Trustees, and the Ministry of Education (MoE was not aware of the seclusion room apart from it being a space on the floor plan) by non-disclosure, for many years.

On a personal note, my family shifted life (town, business, schools, networks, home) to come to Invercargill, specifically so Rovin could attend Ruru Specialist School which was touted by Erin Cairns Principal, as providing a caring, holistic education, set in 21st century learning environment. This information was also reinforced when we viewed past ERO Reports, sited on the school website. If we had known of the barbaric practices used at this school, we would never have considered exposing our son to such harm. This now weighs heavily on us as parents.

Finally, Mr Wallace's failure to obtain a copy of the MoE Investigation Report can be narrowed to:

- deception by the BOT
- coercion by school management/BOT
- failure to see any relevance in collecting important information relating to complaints about allegations of child abuse, how the BOT handled complaints, policies and procedures.

I will not be asking the Board whether the school deliberately withheld the independent report from ERO. Hopefully it is a question ERO will be asking the Board.

Yours sincerely
Victoria Turnbull

From: [Graham Randell](#)
Sent: Tuesday, July 7 2015 5:08 PM
To:
Subject: RE: Ruru Specialist School

Dear Victoria

I am writing to answer your questions raised in an email to me on Wednesday 1 July regarding Ruru Specialist School.

It is correct that the independent report commissioned by the Ministry of Education (MOE) in response to the serious concerns you raised with them about the use of a 'safe area' room at the school and the incidents involving your son Rovin were not made available to ERO either before or during the review. Even though the report was released on 4 March 2015, ERO did not receive a copy until 8 April 2015.

In answer to your questions:

- You should ask the Board whether the school deliberately withheld the independent report from ERO.
- During the ERO review of Ruru Specialist School which commenced 9 March Russell Wallace, ERO review coordinator, was informed by the school of the complaint and was told that they were following their processes. When Russell received your email on 11 March outlining your complaint in detail and the procedures in train, namely the involvement of the Ministry of Education and the involvement of your lawyer he believed that your concerns were being dealt with appropriately. It is not ERO'S role to investigate complaints, especially if they are already being dealt with by the MoE.

In reply to your questions about the Board's response to the MOE report:

- BOT 69 ERO have viewed the safe area as part of their reviews since it was built. As part of each review ERO would usually tour the school and look generally at rooms etc. Our files show that ERO cannot say that it has specifically commented on the safe area as part of their reviews since it was built. However discussions have been had regarding student behaviour management and risk management.
- BOT 67- ERO visit 2015 discussion while viewing the safe area "carpeted and soft floor and walls, natural lighting, well ventilated, not too big so students won't run and hurt themselves, handles both sides and no locks, ticks all boxes." ERO was given a copy of all our procedures.
- During the March 2015 review ERO viewed the 'safe area' and at the time of the review it was not being used. It fitted the description as outlined in BOT 67 although it is unlikely that ERO would have said it 'ticks all boxes'. This is the Board's interpretation of what they thought ERO said. ERO was given a copy of procedures.

Regarding your comments on ERO's unconfirmed report being a stark contradiction to the investigation:

The ERO Education review looked at the performance of the school in learning, teaching, leadership and governance. ERO reviews and reports on the quality of education and learning outcomes for children and for specific groups of children including Māori students, Pacific students and students with special needs. We also report on the quality of the school's systems for sustaining and continuing improvements. Before the review, ERO requires the Board of Trustees and Principal of the school to complete the *ERO Board Assurance*

Statement and Self-Audit Checklists . In these documents they attest that they had taken all reasonable steps to meet their legislative obligations related to: board administration, curriculum, management of health, safety and welfare, personnel, financial and asset management.

During the review, ERO checks the following items because they have a potentially high impact on student achievement:

- emotional safety of students (including prevention of bullying and sexual harassment)
- physical safety of students
- teacher registration
- processes for appointing staff
- stand-downs, suspensions, expulsions and exclusions
- attendance.

As a result of the onsite review and in preparing the draft (unconfirmed) report the ERO team in consultation with managers decides the timing of the next review based on the outcome of its Education Review of a school using the criteria defined by ERO in all aspects of the school's operation. The unconfirmed report is still ERO's draft report and subsequent changes in circumstances may lead to changes to the report before being confirmed and a review taking place earlier than indicated.

As you can see from the above information, the focus of the ERO review was different from the Ministry of Education's independent investigation.

Kind regards

Graham

Graham Randell

Deputy Chief Review Officer Southern

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Te Waipounamu

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Ko te Tamaiti te Pūtake o te Kaupapa

The Child - the Heart of the Matter

From:

Sent: Wednesday, 1 July 2015 11:53 a.m.

To: Graham Randell

Subject: Ruru Specialist School

Good morning Graham

I have recently received a copy of the Unconfirmed Education Office Report on Ruru Specialist School, and a copy of a letter you wrote to Robyn Clutterbuck, Chairperson dated 1 May 2015. Your letter states the independent report commissioned by MoE was not made available during the ERO review. I am forwarding you a copy of an email I sent Russell Wallace on 11 March 2014 advising him of the investigation and offered to discuss the investigation and the serious concerns I had as BOT and parent of the school. I am also forwarding his reply dated 12 March. Please refer to the attached letter Murray Roberts MoE, sent us confirming the release of the investigation report, dated 4 March 2014.

Serious questions I have are: Did the school deliberately withhold the Investigation Report and abuse complaints? Why did Mr Wallace not ask to be fully informed by school on receipt of my email?

The investigation report is a stark contradiction to the Unconfirmed ERO Review. At a recent meeting Murray Roberts stated that the Investigation Report found the board to be "woefully inadequate". The unconfirmed ERO report states that the trustees have a thorough knowledge of all aspects of the school. As a parent of a child who was restrained in the seclusion room, and trustee (2 years) I had no knowledge of the use or existence of the room.

Can you please confirm that the statements made by the BOT (refer attached) are correct and factual.

BOT 67- ERO visit 2015 discussion while viewing the safe area "carpeted and soft floor and walls, natural lighting, well ventilated, not too big so students won't run and hurt themselves, handles both sides and no locks, ticks all boxes." ERO was given a copy of all our procedures.

BOT 69 ERO have viewed the safe area as part of their reviews since it was built.

Points of reference NZS 8134.2.2008 Health and Disability Services (Restraint Minimisation and Safe Practice) Standards.

I look forward to your immediate reply in relation to this information.

Regards Victoria Turnbull

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