

SUBMISSION ON PROPOSED CLOSURE OF WESTBRIDGE SCHOOL

Westbridge School has a very long history of ineffective leadership, management issues, inadequate reporting, falling foul of rules and guidelines, poor quality practice causing harm, trauma and abuse. It appears; a name change, statutory intervention, agency or advocacy cannot affect improvements necessary to provide a safe learning environment at Westbridge School. Children and young people, their health, safety and wellbeing, need to be the number one priority, **immediately.**

AREAS OF CONCERN WE WISH TO HIGHLIGHT

1. Use of unacceptable
aversive timeout rooms,
seclusion, restraint
2. Use of SCM (Safe Crisis
Management)
3. Use of Ukeru System

USE OF UNACCEPTABLE AVERSIVE TIMEOUT ROOMS, SECLUSION, RESTRAINT (1)

We refer to:

*(1)Managing Extreme Behaviour in
Schools* – (Ministry of Education
Guidelines for New Zealand
Schools (1998 - remaining current
through to October 2016, when
replaced)

- *Primarily this booklet is a resource for
classroom teachers, but it will also provide
parents with a range of useful information*
 - *It is important to avoid actions that are
likely to be emotionally or physically
distressing to a student. These actions are
aversive and can place both students and
staff at risk: shutting students into rooms
where they can't get out.*
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- **Timeout rooms should not be used. They are not necessary and can result in teachers and schools being accused of using inhumane and cruel punishments.**

(2) Ministry of Education OIA dated 2/2/2018

the 1998 version of the document was sent to **all schools**, and that the updated 2005 version, which is the version you have, was also sent to all schools in hard copy

(3) School on troubled list for nine years (25/3/2010 - NZHerald)

Westbridge Residential School in West Auckland, a decile two school for students with learning or social difficulties, has **been under commissioner** since **October 2001** following serious governance and management difficulties relating to personnel, financial management and curriculum leadership.

(4) Timeout and Physical Intervention Practice Guidelines for the Management of Serious and Challenging Behaviour
(October 2007 – remained current through to October 2016)

- **The Ministry of Education, Special Education does not recommend any form of time-out procedure in an Early Childhood /School setting, which involves a child/young person being shut in a room, or screened area, by him or herself without any way of getting out unless someone comes to release them. This is a form of isolation (seclusion) and is not an appropriate practice in an Early Childhood/School setting.**
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(5) **EVALUATION OF THE
RESIDENTIAL BEHAVIOUR
SCHOOLS - A report provided by
the Education Review Office for
the Ministry of Education - dated
September 2008**

The following remarks were in reference to
Westbridge School:

- *Most of the teaching staff have been at Westbridge for some time.*
- ***The commissioner has been in place since 2000.***
- *Clear lines of reporting and accountability are not always evident.*
- *Teachers at Westbridge have been unwilling to take part in school-based professional development on formative assessment. They are increasingly professionally isolated and out of touch with the professional learning being undertaken in regular schools.*
- *Teaching at Westbridge was poor. The focus was on behaviour management and control.*
- ***None of the schools follows practices that are consistent with the GSE guidelines on the use of time out and the management of challenging behaviour***

(6) *Flawed schools have improved,
says commissioner NZ Herald
4 Sep 2009*

An Education Review Office report, completed last September but only released on Wednesday night, found "inadequate reporting, ineffective leadership

and poor quality practice” at Waimokoia School in Half Moon Bay and Westbridge School in Massey.

Education Minister Anne Tolley has asked for submissions by the end of next week on whether she should close Waimokoia, but has taken no stance yet on the report’s recommendation that both the Auckland schools and McKenzie School in Christchurch should be closed “in the long term”.

Dennis Finn, who has been commissioner at Westbridge since 2000 and at Waimokoia since last year, said the report is already out of date.

This report was written in 2008 and it was absolutely correct that the school [Waimokoia] was facing some staffing issues at that time,” he said.

Four former staff members were then facing charges for offences against children at the school

UNDER COMMISSIONER DENNIS FINN

**(7)Parliamentary records –
25 October 2001**

*“under a “78N(3)” intervention, which vests all board powers in the **commissioner Dennis Finn** at **Westbridge Residential School***

**(8)ERO slates school for making
pupils write out lines – NZHerald
27 November 2005**

*“The Education Review Office has criticised Massey’s **Westbridge Residential School** for “use of writing as a disincentive”.
In it’s latest report on the school, the ERO says students **put in “time out”***

(9)Amendment to Appointment of a Commissioner for Waimokoia Residential School - 31 Jan 2008
gazette.govt.nz

the notice of appointment of a commissioner for Waimokoia Residential School – Dennis Finn as commissioner

All functions, powers and duties of the board of trustees for Waimokoia Residential School are vested in the commissioner

(5)*Evaluation of the Residential Behaviour Schools' A report provided by the Education Review Office for the Ministry of Education September 2008*

- *A commissioner governs both Westbridge and Waimokoia. This statutory intervention has been in place for eight years at Westbridge.*
- *GSE (Group Special Education) has guidelines for the use of time out but it appears that those are for internal GSE use and, although Westbridge had a copy, the guidelines had not been shared with the schools officially. None of the schools follows practices that are consistent with GSE guidelines on the use of time out and the management of challenging behaviour.*

GSE has a leadership role in terms of behaviour management, use of restraint and time out procedures. This is a role that should be strengthened.

(3)*School on troubled list for nine years - NZherald 25 March 2010*

Westbridge Residential School in West Auckland, a decile two school for students with learning or social difficulties, has been under a commissioner since October 2001 following serious governance and management difficulties relating to personnel, financial management and curriculum leadership.

Its last ERO report, completed last year, recommended that commissioner Dennis Finn

remain in place so he could maintain progress that was taking place at the school.

Education Minister Anne Tolley said she was concerned that Westbridge had been under a commissioner for so long and had asked the Ministry of Education to look at other options for the school.

(10)Waimokoia “abuse was systemic” – Sunday Star Times
8 August 2010

“Waimokoia Residential School’s ‘time-out’ room was an innocuous cinder block building near the tennis courts which, to the uninitiated, looked like a harmless storage shed. But to some of the troubled students who attended the school near Howick, in South Auckland, the mere sight of the bland building was enough to instill terror. To them, it was variously known as the pound, the cell, the bunker and, perhaps most appropriately of all, the dungeon – for the abuse which former students claim happened inside its windowless walls amounted to torture.

*Inside the room a student alleged a staff member stapled his penis to a chair leg, beat him with a soap in a sock, tried to sodomise him and stubbed out cigarettes on his skin. Others said they were sexually abused or locked inside the room for days without a toilet – the smell of urine was overpowering. The worst of the abuse occurred in the 1980’s, but **the room was still being used to discipline students right up until the school’s closure last year.***

“Education Minister Anne Tolley shut the school down at the end of last year, “in the interests of the student’, after a lengthy history of governance and management difficulties, but there was no mention at the time of the abuse allegations.

“Asked whether she knew pupils were placed in the time-out room until as late as 2009, she replied, “Yes.”

“Until now the public has had little idea of the goings-on at the school, because it applied to the court for it’s identity to be kept secret at the previous trials.

(11)Amendment to the Composition for the combined Board of Trustees for Westbridge Residential School and Halswell Residential College – gazette 23 June 2016

*This notice takes effect on 10 June 2016
Hon HEKIA PARATA, Minister of Education*

*Standards and Monitoring Services (SAMS) report to the Ministry of Education – April 2013
Report to the Ministry of Education
Halswell Residential College*

- ‘safe rooms’ being used at the villa and the day school, at Halswell Residential College
- ‘safe rooms’ were used at the school for students who needed time-out
- the schools ‘safe room’ records were not complete or able to be reconciled
- the school ran the SCM Programme

*(12)SEPA^{nz} (Special Education Principals Association NZ)
Presidents Newsletter Term 1, 2016*

*Restraint and Seclusion - Nationally and across all sectors some Children are being secluded from learning opportunities due to behavioural or other reasons. **This is deemed unacceptable.***

(13)Announcement is Positive News for Student and Their Families – infonews.co.nz -27 July 2016

“A 2014 review and two assessments by Standards and Monitoring Services, New Zealand (SAMS) in 2013 and 2016 were extremely positive about the College and its educational programmes

Linkedin

David Bagwell Principal, Westbridge Residential School, July 2016 – October 2024

(14) **Education Report 24 Nov 2016**

Following the Advisory Group's clarification on the definition of seclusion and in order to work with schools to cease the practice of seclusion, the Ministry of Education undertook a survey of all 2529 state, state integrated, partnership schools and private schools in New Zealand. On the basis of the guidance definition, the purpose of the survey was to identify what schools were using seclusion practice (as opposed to time out) and work with those schools to eliminate its use.

- Schools that have used seclusion in 2016
 - **Westbridge School**
 - **Halswell Residential College**

(15) Ministry of Education response to question under the OIA – 8 Feb 2017

*"The respondents were asked directly whether or not they operated a room for the purposes of seclusion, and all provided a definitive 'yes/no' reply. **Of these, 36 schools self-reported that they had seclusion facilities available.***

- **Westbridge School**
- **Halswell Residential College**

(16) **Jeremy France – Deputy Chief Executive Corporate Service ERO** responds to questions under the OIA – **10 October 2016**

- "Has ERO ever reported specifically on school's seclusion rooms in ERO Reports?"

"ERO reviews do not focus specifically on schools' "seclusion rooms" to the best of my knowledge. To be definitive about this would take a substantial amount of time and resources.

**Abuse in Care Royal Commission
of Inquiry into Abuse in Care
Public Hearing, on 18 August 2022**
Statement from (then) Secretary for
Education Iona Holsted – 14:55:55

(then) Secretary for Education Iona Holsted when
question about the use of seclusion in schools:
***“The reason it’s in the law is because we
knew the traumatic effect of it was so
great, so that is why it’s the law, so yes. I
think – sorry, yes because it’s a form of
abuse it went into the law.”***

IN SUMMARY

aversive time-out rooms, seclusion
(1.)

In 2016, 8 years on from ERO reporting to Ministry
of Education that Westbridge School was using
“time out” against Ministry of Education
guidelines (under commissioner Dennis Finn
2001- 2016), Westbridge School informed the
Ministry of Education, it had a seclusion room and
was secluding students.

Westbridge School had continued secluding
students throughout 2016 (even after professional
body SEPAnz, advised special education leadership,
through its newsletters that seclusion is *deemed
unacceptable*).

In January 2008, Karen Sewell, the (then) Secretary
for Education appointed **Dennis Finn (Westbridge
School commissioner) as commissioner at
Waimokoia Residential School also.**

In the early 2000s Police complaints were made
against staff at Waimokoia Residential School and
an arrest was made in 2007. Multiple cases went
before the court, with the school’s “time-out room”
being the focal point for many of the abuses being
inflicted on students there.

*“In a string of Education Review Office reports over
the years there is no mention of the abuse
allegations at Waimokoia and only one, in 2005, was*

the time-out room criticized. The report's author touched on concerns about the room, noting there were no windows. (Waimokoia "abuse was systemic" – Sunday Star Times 8/8/2010)

The heinous abuse at the residential school was kept from the public at the time because Waimokoia (then under commissioner Dennis Finn) applied for court suppression of its name during the early trials of staff members.

Waimokoia Residential School's 'time-out' room was known as *the pound, the cell, the bunker, the dungeon* – **Waimokoia's 'time-out room' was used right up until the school was closed** at the end of 2009, whilst under commissioner Dennis Finn.

Despite ERO evaluating both Westbridge School and Waimokoia Residential School in September 2008, finding neither school followed Ministry of Education guidelines (using unacceptable time-out and behaviour management practices, calling for strengthened leadership from the Ministry of Education) it recommended in 2009, commissioner Dennis Finn remains in place at Westbridge School.

Governance of Westbridge School eventually shifted to a Combined Board of Trustees with Halswell Residential College in 2016. Shortly after this, through a Ministry of Education nationwide survey, **Westbridge School** (and Halswell Residential College) was identified as having a seclusion room and secluding students.

While seclusion was *banned* in 2017, the 2025 ERO report on Westbridge confirms a systemic failure in documentation. Without accurate recording of physical interventions, the Ministry cannot fulfill its legal obligation to ensure that banned practices,

such as seclusion, are not occurring under the guise of 'time-out' or unrecorded behavioral management.

RESTRAINT (1.)

In 2017 rules and guidelines were released under the Education Act 1989 which required all New Zealand schools to notify the Ministry of Education of any incident of physical restraint.

Since the new mandatory reporting law came into effect, restraint incidents reported by Westbridge School indicate the use of restraint, by staff there, is excessive, the school's reporting dubious, restraint use unlawful.

(17) **2019** Resourcing Notice for
Westbridge Residential School
Page 1. and 4.

- **Obligations of the Board of the school**
Westbridge Residential School is to: k) "as per the Education (Physical Restraint) Rules 2017 ensure every incident of physical restraint used in the school is reported to the Ministry of Education and every staff member who uses physical restraint must complete a staff physical restraint incident report. The employer must place a copy of the form in the student's file and provide a copy to the student's teacher/s, parent/s and/or caregiver/s. The Ministry of Education would also like the school to report the use of restraint in the residing setting. This enables the Ministry to monitor the prevalence of physical restraint and provide appropriate support to schools and students.

(18) **Physical restraint in
Residential Specialist Schools**

7 May 2021 (under OIA) Briefing note: visit to
Westbridge Residential School to meet with staff and
Board

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- ***The Ministry has offered to support the schools (Halswell and Westbridge) to reduce the use of restraint. The Board has indicated that it believes the current levels of restraint are justified and that it will not be taking any direct action on this.***

Education Report: Enrolment at Residential Specialist Schools. For Hon Chris Hipkins and Hon Jan Tinetti

- ***The Ministry is concerned about the high levels of restraint of akonga reported by two of the RSS. Review of incident reports from RSS shows that restraints are often used for behaviour management and not for reasons of safety.***

(19)Specialist school under-reported use of restraint – Newsroom 8/9/21

Dave Turnbull, the chair of the combined board of trustees for Halswell and Westbridge schools, told Newsroom the board had discussed changing the way it reported restraints at a meeting in September last year, which had been attended by two ministry officials.

“We believed we were fulfilling our legal obligations, because we believed a senior manager at the Ministry of Education would not have put us wrong if I was trying to fudge things and pull a fast one.”

Helen Hurst, the Ministry of Education’s deputy secretary for sector enablement and support, told Newsroom that Halswell and Westbridge were not

reporting restraints outside of school hours “due to a misunderstanding that it was not required.”

[Ministry of Education] was confident there was no intention to breach reporting requirements.

7 June 2022 (under OIA) response from Ministry of Education

(18) *Physical restraint in Residential Specialist Schools*

Westbridge Residential School

○ 8/2017 – 12/2017	58 reported
○ 2018	108 reported
○ 2019	244 reported
○ 2020	66 reported
○ 2021	18 reported

(20) ERO Chief Executive Nicholas Pole’s letter dated 16/12/2024, to Secretary for Education, Ellen MacGregor-Reid - OIA

Restraint use has averaged between 2-3 incidents per month since mid-2024.

(21) *Proposed closure of Westbridge Residential School following safety, performance concerns - RNZ 4/2/2026*

“Some incidents, such as continued physical aggression towards teaching staff are not always documented or recorded by staff,” it said.

IN SUMMARY

Restraint
(1.)

The Ministry of Education has failed to uphold legislation. The monitoring of physical restraints used at Westbridge has been poor. The Ministry only raised concerns about reported data, with the Board, following media attention. It appears the Ministry of Education then simply publicly excused the schools’ breaches as “a misunderstanding”

USE OF SCM (SAFE CRISIS MANAGEMENT) (2.)

(19) **Specialist schools under-
reported use of restraint –**
newsroom 8/9/2021

when clearly, in 2019 at least, the Board had been notified the reporting of all restraints used ‘in school’ and ‘in residence’ was a formal *Obligation of the Board* under the Resourcing Notice.

Restraint records are dubious due to staff not always reporting “incidents”. We note, no data regarding use of restraints at the school has been notified by the Ministry of Education since 2022. The only incidents being reported about now, appear to be “assaults”.

It is reported Westbridge School uses **SCM (Safe Crisis Management)**

Halswell and Westbridge train their staff in physical restraints through an internal programme called Safe Crisis Management, which differs from others in allowing the use of restraints while a person is lying on the floor.

*So-called floor restraints are not taught by a number of other programmes, due to the extra risk of **injury or death**.*

SCM Background:

Paul Kennedy is the former Principal of Halswell Residential College. At Halswell, he became interested in the United States based programme, Safe Crisis Management (SCM), adapted it to New Zealand conditions, and delivered workshops to New Zealand teachers under his company PACK Education Ltd.

In 2016 the Pack Education website stated: *In 2005 SCM was introduced to New Zealand, mainly in special schools in the Canterbury region, where its success in reducing and preventing the instances of crisis behaviour has been dramatic.*

In 2016, like Westbridge School, the Ministry of Education also named Halswell Residential College, as a school that was operating seclusion room/s. In fact, in April 2013 a report by Standards and Monitoring Services (SAMS) to the Ministry of Education, refers to 'safe rooms' being used at the villa and the day school, at Halswell Residential College. These 'safe rooms' were used at the school for students who needed time-out. SAMS found that the schools 'safe room' records were not complete or able to be reconciled. At that time, the school ran the SCM Programme.

Like Halswell Residential College, Ruru Specialist School in Invercargill also had a 'safe area' in 2015. Ruru's "Safe Crisis Management Procedure" document, allowed for the use of the 'safe area' which was a small storeroom that the Principal had built in 1999 for the purpose of restraining and detaining students with disabilities.

We wrote to Paul Kennedy in October 2017, asking questions about his SCM Programme. He failed to answer the questions we asked but stated, "*The SCM curriculum does not endorse, recommend or provide training for the use of seclusion rooms.*"

Ruru Specialist School was under investigation by the Chief Ombudsman at this time. During our enquiries and prior to the Chief Ombudsman releasing his final opinion regarding his investigation into Ruru Specialist School, Paul Kennedy advised,

as from 1 August 2017, PACK Education is no longer in operation.

In its response to the Ombudsman's provisional opinion, Ruru stated that it does not accept that the practice was unsafe, as staff were following SCM protocols.

The Chief Ombudsman's final opinion in 2017, reported information provided by Ruru Specialist School:

- *SCM provides that in the case of particularly challenging behaviour where it is necessary to reduce the risk of harm posed by a student of themselves or others, physical restraint may be used. This is viewed as a last resort and it's highly controlled, monitored, and recorded'. In very limited circumstances, it may be necessary for a student to be placed in a safe area.*
- *Ruru's position is that it's 'Safe Area Procedure' was consistent with SCM.*

In 2018 whilst we was in discussions with Teaching Council Aotearoa NZ (it was leading conversation via workshops and meetings to progress a review the 2017 physical restraint law and guidelines), the Council lawyer (at the time) advised by email "*the statutory purpose of the Education Council is (in summary) to ensure safe and high quality leadership, teaching and learning in schools and early childhood centres by raising the status of the profession.*" However, they also advised at the same time the Council conducted internal training on the issue of physical restraint and the "expert" they involved was **Paul Kennedy**.

IN SUMMARY

SCM

(2)

Paul Kennedy adapted a US based SCM Programme for use in New Zealand schools, providing workshops, training, 'certification', and 'accreditation' to staff and schools. SCM was not sanctioned by the Ministry of Education, and at least 3 schools (**Westbridge**, Halswell and Ruru) that adopted the SCM Programme, were using unacceptable, intolerable restraint and seclusion against Ministry of Education guidelines for many years. It is alarming to read multiple reports indicating Westbridge and other NZ schools are still using this questionable training programme when working with our most vulnerable children and young people.

USE OF UKERU

SYSTEM

(3)

In December 2022 North American based - **Ukeru Systems** social media account states:

- *"It was such a pleasure having David from Westbridge Specialist School in training last week! We could not have asked for a better person to represent Ukeru in New Zealand! Our team is so excited to see what they accomplish!"*

In a post on 12 January 2023:

- *"We are so excited to work with Westbridge Specialist School in Auckland, New Zealand! It's great to see the excitement building already!"*

Then, on the 21 January 2023:

- *"Ukeru blocking pads have touched down in New Zealand! The excitement is setting in for*

(22) Ukeru Systems post included photos of (then) Westbridge School Principal David Bagwell smiling,

holding gym pads and displaying car
licence plates “Ukeru”

*Westbridge Specialist School’s Principal,
David Bagwell!”*

**(23) Westbridge Specialist School
Ukeru Whanau Information 2023**

*The Ukeru training will be completed by all kaimahi
at Westbridge during term 1, 2023.*

Ukeru was invented by staff at Grafton Integrated
Health Network in USA in the early 2000s, staff who
were heavily overusing seclusion and restraint.

Comments published by US based users:

- *“Ukeru is not for the faint of heart”*
- *“It is a physical intervention that you are using
for hours sometimes.”*
- *In the most severe situations, staff have to
switch out multiple times before the student
in crisis calms down or runs out of energy.*

Linkedin

**Principal David Bagwell left his role as Principal of
Westbridge School late in 2024.**

**(23) Looking at recommending LSM
Westbridge Residential School
Online hui held 13 March 2025
8.30pm**

- *“David Ivory (Westbridge School Presiding
Member) noted he would not want people
think the Board had acted unprofessionally or
didn’t have the skills to govern the schools,
unusual situation with WRS and all of us
have struggled at some point over the years,
situation with the previous Principal and the
behaviours experienced by different parties ie
Ombudsman, Ministry and bringing shields
etc”*
-

IN SUMMARY UKERU (3)

In our view the use of Ukeru pads/shields is the opposite of self-regulation and de-escalation. We have no doubt that the introduction and use of this programme at Westbridge Residential School, here in New Zealand, will have contributed to the high number of “reported” and “non-reported” “assaults” on staff and students during 2023 and 2024. Incidents are being reported as assaults, leading to the villainization of vulnerable students.

FINAL COMMENTS

Westbridge School has not got it right.

**Abuse in Care Royal Commission
of Inquiry into Abuse in Care
Public Hearing, on 18 August 2022**
Statement from (then) Secretary for
Education Iona Holsted – 9:23

In her opening statement at the Royal Commission of Inquiry into Abuse in Care Public Hearing in 2022, Iona Holsted then Secretary for Education stated,
“I acknowledge that the Ministry doesn’t always get it right. Some records show that the Ministry should have acted with greater urgency. For example, Ruru.”

**The Ministry of Education has not got it right at
Westbridge School either.**

In response to the Royal Commission of Inquiry into Abuse in Care, ERO has been directed to review residential specialist schools more frequently, which is heartening. However, ERO’S Chief Executive advised the Secretary for Education that in 2023 staff and students at Westbridge Residential School “were at critical risk”, and then over a year

(20) ERO CE Nicholas Pole writes to Ellen MacGregor-Reid, Secretary for Education – OIA
16 December 2024

later, there was still an “unacceptably high number of reported incidents”.

“In Term 4, 2023 there were 193 physical assaults on staff or students and 102 incidents of property damage with a peak roll of 20 students.

“ERO has been regularly visiting and monitoring Westbridge Residential School’s operation since that time. There remain an unacceptably high number of reported incidents of student assaults on staff, other students and property damage in the school and hostel despite a significant roll decline during 2024.

(25) Calls to end segregated education in light of Royal Commission – newsroom
29 July 2024

“I was advised the two residential behaviour schools were last reviewed in June which identified they are operating well,” she (Education Minister - Erica Stanford) said in a statement to Newsroom.

If we want greater oversight and reporting to actually work, we must **improve the advice** the government receives, **act** on atrocious findings **immediately** otherwise history will continue to repeat itself.

Chronic and systemic failings in specialist school settings have meant that it is likely 100s, if not 1000’s of our most vulnerable members of society have been abused and traumatised at school, behind closed doors.

(11) Waimokoia ‘abuse was systemic’ – Sunday Star Times 8 August 2010

This can be reflectively summed up by comments made by a former student of Waimokoia Residential School in 2010, who gave evidence at trial: *she believed the Ministry of Education knew the school was “rotten”. “Not until I was part of this case did I understand how badly had the ministry failed us, because not only did they take us out of abusive*

Andy Jackson, Acting Secretary for Education, delivered an apology at Parliament – 12 November 2024

homes, they took us to somewhere when they knew there was abuse going on. They didn't care, and then when it did come out...they still did nothing."

In November 2024, Andy Jackson, Acting Secretary for Education, delivered a formal apology on behalf of the Ministry of Education to survivors of abuse. He said, "You should not have had these experiences. You should not have had to relive them so that the system could improve. I apologise for the harm that this caused."

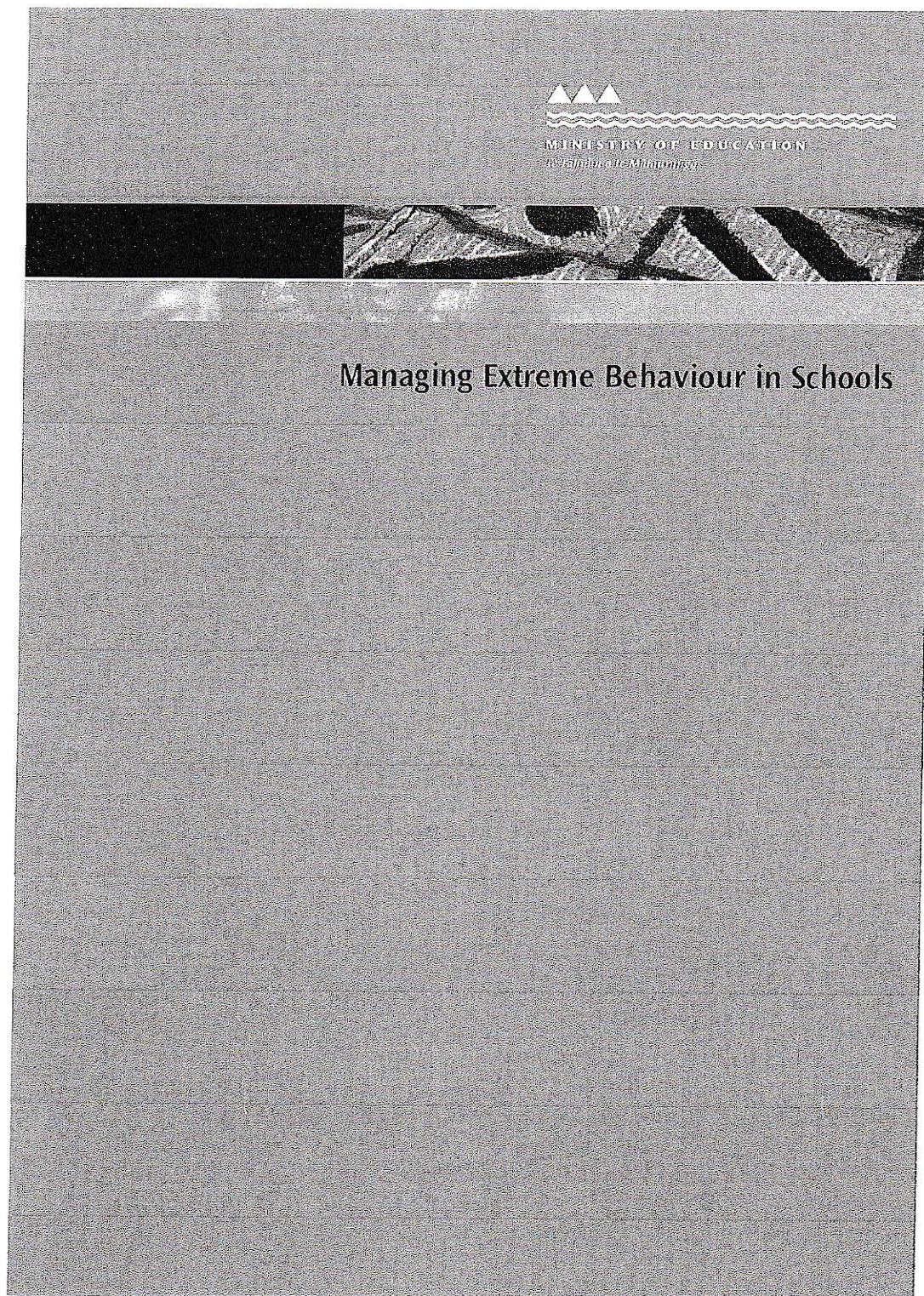
"Your courage to tell your story and your determination to be heard are the catalyst for change. That is what brings you here today: change that will make a difference."

It is time to open the door on residential and specialist schools in New Zealand. We must commit to fundamental reform to ensure our children and young people receive the support and opportunities they deserve.

It's time to get it right.

WHANAKETIA

"Successive Government ministers and heads of government agencies who were responsible for the law and policy settings had accountabilities in law to children, young people and adults in their care that they failed to uphold. The State and leaders of faith-based institutions knew, or should have known, about abuse and neglect that was happening. They failed not only in their duty to keep people in their care safe from harm, but they also failed to hold abusers to account."





Foreword

Better supporting teachers and parents to manage children and young people with extreme behaviour needs is a priority for the Ministry of Education, and I'm pleased to introduce this updated resource as a reflection of our commitment.

It provides a systematic approach to the management of extreme behaviour in schools. As well as advocating the use of individual management plans, the book provides practical guidance that will help schools become physically and emotionally safer environments.

Primarily this booklet is a resource for classroom teachers, but it will also provide parents with a range of useful information.

I urge you to read it and to use and adapt the strategies and ideas described. They will help you support student education achievement, and create long term behaviour change.

The latest research evidence tells us effective teaching is the largest influence within the education system on education outcomes. Fostering better student engagement in learning and developing mutually respectful relationships are core components of an effective teaching process.

Effective teaching relies on a strong knowledge base and expertise, and on the ability to foster positive relationships within the classroom with students and their parents, families and whānau.

We do need to work together to support students with severe behaviour needs, reading and using the strategies outlined in this resource will provide us all with a good first step in that journey.

Barbara Disley
GROUP MANAGER
Ministry of Education, Special Education



Values, Ethics and the Law

Behaviour is not either desirable or undesirable. Rather than being a dichotomy, desirability can be measured on a continuum and behaviour has degrees of desirability. The same holds for many other adjectives, such as "appropriate" or "acceptable".

LA VIGNA & DONNELLAN, 1997 P2.

There is no fixed way of judging the appropriateness or acceptability of any behaviour, apart from where the behaviour is in breach of the Crimes Act, or other legislation. There are many standards by which behaviour may be judged and these will vary greatly between age groups, cultures, families, schools and other groupings of people.

Behaviour change can be brought about in a number of ways. Each procedure has values attached to it, associated ethical considerations and must operate within specific cultural context and legal frameworks.

In the past it was believed that the punitive measures such as corporal punishment and exclusion were essential tools for behaviour change. These and other aversive methods are not necessary and have a dehumanising effect on staff and students.

In contrast there are many strategies which will bring about behaviour change in a less intrusive way. For example, students do respond to carefully managed systems of positive incentives for desired behaviour. In addition, in the short term, extreme behaviour may be able to be managed through supportive statements and other non-punitive verbal strategies that assist the student to calm down. Strategies enabling students to learn more acceptable behaviours can also be effective. Positive methods are almost invariably more acceptable to staff and families. Where they are less acceptable there may already be too much reliance on punishment and control.

The key to the use of less intrusive strategies is to always remember that the short-term goal is to manage the extreme behaviour so that no one gets hurt. Short-term management must not contribute to the escalation of out-of-control behaviours. Negative comments and reprimands during the crisis will probably result in escalation.

It is important to avoid actions that are likely to be emotionally or physically distressing to a student. These actions are aversive and can place both students and staff at risk:

- shutting students into rooms where they can't get out
- confining students to chairs including wheelchairs to restrict movement
- using force to drag or pull students to make them go some place else
- restraining students in ways that are dehumanising and unsafe, for example, sitting on students
- pouring cold water over students
- hitting, slapping, shaking
- verbally abusing.

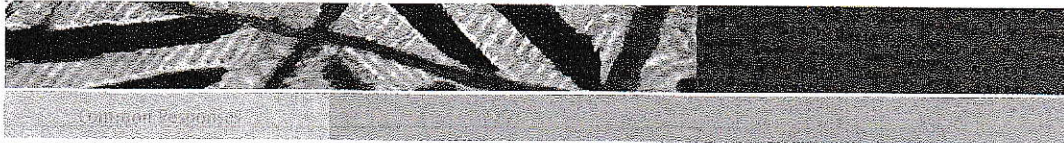
Behaviour results in consequences, which may be positive or negative. For example, the consequence of learning a new skill may be the pleasure enjoyed by being able to participate in a new activity with others. This is a positive consequence to increase behaviour. A negative consequence occurs, for example, when a child has destroyed a toy and then does not have use of it after it has been destroyed. Consequences, as well as occurring naturally, can be linked to specific behaviours and used effectively by teachers. For example, sports, games, swimming, free reading time and computer games can be awarded as rewards or as positive reinforcement. Alternatively, if used as a negative consequence or a sanction, then the reward is not given.

Positive consequence (positive reinforcement):

If you play without hurting anyone you will be able to take the ball outside at lunchtime.

Negative consequence (or consequence to reduce behaviour):

If you act silly and hurt someone you will not be able to use the ball at lunchtime.



Timeout is when a student is removed from other students for a specified period of time. Sometimes special timeout rooms are used. Timeout is often misused and misunderstood.

Timeout rooms should not be used. They are not necessary and can result in teachers and schools being accused of using inhumane and cruel punishments.

A major disadvantage of timeout is that it does not teach the student alternative appropriate behaviours. Use Mini-timeout or Easy Change.

Withdrawal of Privileges, Desired Activities or Points Earned

- *You will lose all your points for this week.*

Points systems are based on accumulations for good behaviour rather than on deficits. For points systems to be effective the points have to be valued by students. If the points are not valued there is no incentive and they will not work. A loss of points may erode their value to students. The more they lose, the less they mean.

In addition, it does not pay to spring unpleasant surprises on students who are already behaving in extreme or potentially extreme ways. The sudden threat of losing points may precipitate further loss of control and the onset of aggressive, violent behaviour. The student may perceive they have nothing left to lose.

If loss of points is included within the management plan for the student then ensure that the student is aware that this loss will be a consequence for extreme behaviour. Better still have a system of positive reinforcement operating where the student earns points for good behaviour.

Subject: RE: OIA response
From: "Lesley Parker" <Lesley.Parker@education.govt.nz>
Sent: 2/02/2018 4:49:30 pm
To: "'cj.turnbull@xtra.co.nz'" <cj.turnbull@xtra.co.nz>

Good afternoon Victoria,

Please find responses to your questions below.

Who had the 'Managing Extreme Behaviour in Schools' guidelines available to them? How were the guidelines distributed? What format were they available in? Did the Ministry have an audit system to ensure schools/departments held copies?

The *Managing Extreme Behaviour in Schools* resource was first published by the Ministry in 1998. It was revised in November 1999 and July 2005.

Due to the amount of time that has elapsed we have not been able to locate written information on how *Managing Extreme Behaviour in Schools* was distributed to all schools, however experienced practitioners who worked in this area at the time recall that the 1998 version of the document was sent to all schools, and that the updated 2005 version, which is the version you have, was also sent to all schools in hard copy. Hard-copies of the publication were also available to Ministry behaviour practitioners, who provided additional copies to schools and others when Ministry staff were working with a school to support a student. We have no record of an audit system at the time that tracked the document's distribution.

Which parties had the 'Practice Guidelines for the Management of Serious and Challenging Behaviour' available to them?

Practice Guidelines for the Management of Serious and Challenging Behaviour was an internal document for Ministry of Education Special Education (now Learning Support) staff. It provided guidance for staff as they developed individualised behaviour plans for children and young people with challenging behaviour.

All behaviour staff in the regions were able to access a copy. The document was specifically not intended for wider distribution, so it is unlikely Special Schools would have acquired a copy.

Kind regards,

Lesley

Lesley Parker | Principal Adviser to David Wales | Learning Support
 DDI +6444637675

From: cj.turnbull@xtra.co.nz [<mailto:cj.turnbull@xtra.co.nz>]

Sent: Thursday, 18 January 2018 12:10 p.m.

To: Simon Sanders <Simon.Sanders@education.govt.nz>

Subject: Re: OIA response

Good morning Simon

Thank you for sending the Ministry's response to my recent OIA request for information.

Appendix A refers - All teachers need to be familiar with the methods described in this book for preventing and managing extreme behaviour. The book can be used as the basis for staff training sessions.

- Please advise me who had these guidelines available to them, ie: schools, GSE, NZSTA, etc.
- Please advise me the form in which they were available, ie: document/paper based, accessible on the computer system, etc.

- Please advise me how the guidelines were distributed to parties and if the Ministry had an audit system to ensure schools/departments held copies of up-to-date, current guidelines.

Appendix B refers – Ministry of Education, Special Education staff internal use only and not for external distribution.

- Please advise me of all the parties who had these guidelines available to them, ie: Ministry regional offices, Specialist Schools.

I look forward to your response.

Regards Victoria Turnbull

From: [Simon Sanders](#)

Sent: Tuesday, January 16, 2018 4:23 PM

To: cj.turnbull@xtra.co.nz

Subject: OIA response

Kia ora Victoria

Please find attached the Ministry's response to your request for information about physical restraint.

Due to the size of the attachments, I will need to send you one further email.

Feel free to get in touch if there is anything else I can do to assist.

Thanks

Simon

Simon Sanders | Manager, Official and Parliamentary Information | Government, Executive and Ministerial Services
DDI +64 4 439 5005 Ext 45005 | Mobile +64 27 404 7057
33 Bowen St, Wellington

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We get the job done *Ka oti i a mātou ngā mahi*

We are respectful, we listen, we learn *He rōpū manaaki, he rōpū whakarongo, he rōpū ako mātou*

We back ourselves and others to win *Ka manawanui ki a mātou, me ētahi ake kia wīkitoria*

We work together for maximum impact *Ka mahi ngātahi mō te tūkinga nui tonu*

Great results are our bottom line *Ko ngā huanga tino pai ā mātou whāinga mutunga*



Ministry of Education logo

Home / New Zealand

School on troubled list for nine years



Elizabeth Binning

Senior Journalist · NZ Herald · 25 Mar, 2010 04:00 AM · 4 mins to read

A troubled Auckland school has been on the Government's intervention list for nine years, the longest of the almost 80 schools on special measures throughout the country.

Westbridge Residential School in West Auckland, a decile two school for students with learning or social difficulties, has been under a commissioner since October 2001 following serious governance and management difficulties relating to personnel, financial management and curriculum leadership.

Its last ERO report, completed last year, recommended that commissioner Dennis Finn remain in place so he could maintain progress that was taking place at the school.

Education Minister Anne Tolley said she was concerned that Westbridge had been under a commissioner for so long and had asked the Ministry of Education to look at other options for the school.

She was also working her way through the list of other schools which had been under intervention for some time to see how they were progressing and what could be done.

"I think we are coming down to some of the ones that are left now are the real hard problems to solve so they need good, long-term plans in place."

New Zealand Principals Federation president Ernie Buutveld said being under a limited statutory manager or commissioner wasn't necessarily a bad thing as it meant the school was getting help.

"It would be nice in a perfect world not to have any but the reality is with 2500 schools, perhaps 76 is not such a bad number."

In saying that, Mr Buutveld said questions had to be raised about the length of time some of the schools had been under a commissioner.

"You do have to wonder why one school has been under that regime since 2001. I mean we are talking about almost 10 years. I guess it begs the question, 'Have we got the resources, should a school need to be put under that sort of management, to effect the sort of improvement and move forward that one would like?'"

Of the 76 schools requiring help, six have been under intervention for more than four years, including the long-running intervention at Westbridge.

V

Common interventions include dissolving a board of trustees and appointing a commissioner to govern the school or appointing a statutory manager to work alongside the board.

This year, seven new schools have already joined the list of schools needing intervention, including Rotorua Boys High, which now has a statutory manager following complaints about several students being forced to take drug tests.

Labour Party education spokesman Trevor Mallard said he was surprised by what appears to be "quite a rapid increase in the numbers in the past year or so".

"I can't tell whether that's as a result of stress in the system but what I'm most concerned about is a number of them have been in for a very long time."

Mr Mallard said the fact that 13 schools had been under intervention for more than three years was evidence that the

commissioner model was not working for some schools.

"That does bring into question the whole board model for schools which have long-term problems and there's a question as to whether we need an alternative format for them."

GOVERNMENT INTERVENTION

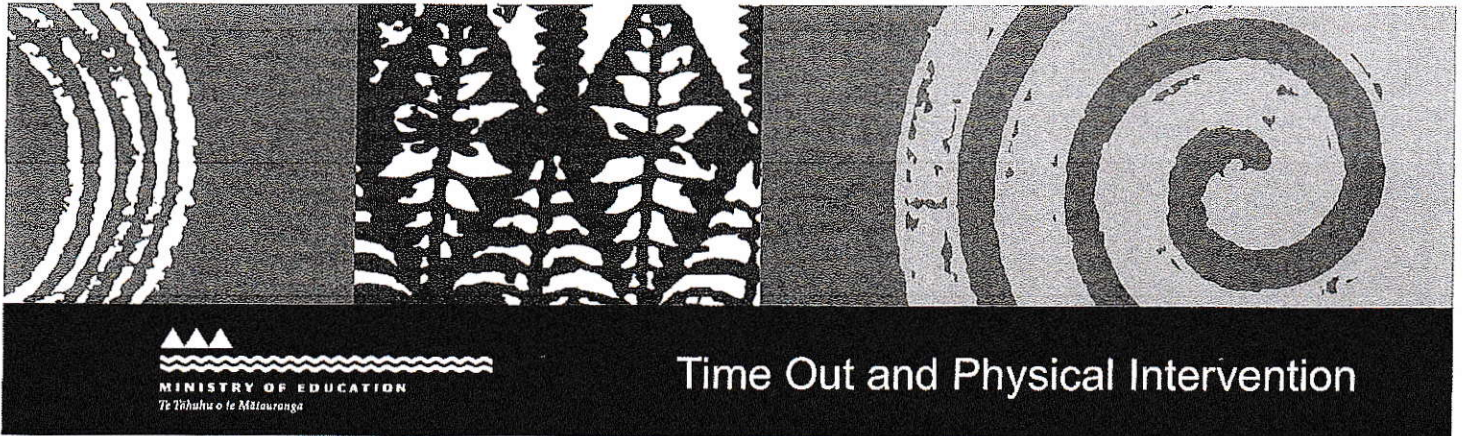
1 school has been under a commissioner since 2001. 76 are currently subject to statutory intervention.

29 have had their board of trustees dissolved and are being governed by a commissioner.

47 have a statutory manager helping the board with governance roles.

7 schools have needed intervention this year.

13 schools have been under intervention since at least 2007.



October 2007

Practice Guidelines for the
Management of Serious and
Challenging Behaviour

SECTION 2 (A): TIME-OUT

The aim of time-out is to reduce the future occurrence of a specified behaviour through removing the child/young person from what is reinforcing that behaviour for a specific time. For the purposes of the practice guidelines, time-out is defined as:

“The withdrawal of opportunity to receive positive reinforcement or the loss of access to positive reinforcers for a specific period of time”

(Ewing, 1999)

Time-out is a behavioural technique for reducing challenging behaviour maintained by either attention or tangible reinforcers. For time-out to be effective, the time-in environment must be rewarding for the child/young person. It is also important that an analysis of the function of the behaviour and the environment in which the behaviour is occurring is undertaken prior to considering time-out and that time-out is only one element of a comprehensive approach designed to teach, nurture, and encourage positive social behaviour.

Appropriate Age Range for the use of Time-out

There is considerable variation in the literature when it comes to identifying the appropriate “developmental” age range for the use of time-out. The minimum suggested age range varies between 2 to 3 ½ years (Nelson, 2006, Sanders, Markie-Dadds & Turner, 2001, Webster-Stratton, 2006). The key issue in determining the appropriateness of any form of time-out for this age group is the child’s developmental level. Ministry of Education Special Education staff should always conduct a comprehensive assessment of the individual child’s needs, their behaviour, and the environment in which it occurs, before implementing any time-out

strategy. As part of this assessment, practitioners need to identify the child’s **developmental age**, their ability to communicate their needs, and the ability of the environment to meet the child’s needs. Strategies aimed at improving parental/caregiver supervision and using distraction to avoid problem behaviours escalating are more appropriate for very young children than time-out and should be considered first.

For older children the literature suggests that time-out becomes inappropriate at approximately 8-10 years of age. Strategies such as a response cost procedure are generally more appropriate for older children (Church, 2003).

NB When considering the age appropriateness of any interventions it is vital that staff assess the “developmental” age of the child/young person rather than the chronological age.

Definitions and Types of Time-out

A review of the time-out literature highlights inconsistencies in the definitions used to identify the types of time-out; therefore, the reader is advised to read the description of the following categories of time-out carefully to avoid any confusion over the terms used. The terms used in the current practice guidelines are consistent with the terms used in “Consultants Guide for the use of time-out in the preschool and elementary classroom” (Turner & Watson 1999). There are three main types of time-out identified in this paper: isolation, exclusionary, and non-exclusionary time-out.

ISOLATION (SECLUSION)

Sometimes when teachers refer to time-out, they are referring to a procedure, which involves removing the child/young person to a “time-out room”. This is one type of time-out and is

discussed in these guidelines under the heading of isolation. Isolation involves placing the child/young person in an environment such as a room, by him or herself for a specified period. This type of time-out is sometimes used as part of a comprehensive home base parenting programme (See: parenting programmes below).

The Ministry of Education, Special Education does not recommend any form of time-out procedure in an Early Childhood /School setting, which involves a child/young person being shut in a room, or screened area, by him or herself without any way of getting out unless someone comes to release them. This is a form of isolation (seclusion) and is not an appropriate practice in an Early Childhood/School setting.

EXCLUSIONARY TIME-OUT

Exclusionary time-out is a planned procedure implemented within the same environment that the behaviour of concern has occurred. This procedure involves removing the child/young person from the reinforcing situation (activity) but not from the environment (e.g. classroom). The child remains in the immediate environment, however the time-out place is in a location where the child "cannot" observe or participate in the activity for a set period. For example, if the activity is a mat based activity at the front of the classroom, the time-out location could be a cushion or seat at the back of the class.

NON-EXCLUSIONARY TIME-OUT

Non-exclusionary time-out is similar to exclusionary time-out however; the time-out location allows the child to observe the activity, but not participate in the activity. An example of this type of time-out is when a child is asked to move out of a group activity but is still allowed to watch what the group is doing. One of the advantages of non-exclusionary time-out is that the child/young person is able to observe appropriate behaviour and see this behaviour being reinforced by the teacher/parent. There are three sub-categories of non-exclusionary time-out: contingent observation, removal of stimulus conditions, and ignoring (Harris 1985).

- ▲ contingent observation is when a child is required to sit on the periphery of the activity and observe the appropriate behaviour of peers for a brief period.
- ▲ removal of stimulus conditions involves the removal of a reinforcing stimulus such as work, play material, or the opportunity to earn tokens for a period. The identified stimulus is returned once the child is demonstrating the appropriate behaviour.
- ▲ ignoring involves withholding social attention when inappropriate behaviour occurs. This approach is difficult to implement in a classroom environment for the following reasons: the behaviour may be interfering with the learning of others, peer attention may be maintaining the behaviour, and some behaviours are potentially dangerous and therefore it would be unsafe to ignore this behaviour.

NB Non-exclusionary time-out covered above, is sometimes referred to as "inclusionary" time-out in the literature, because the child/young person remains in the environment where the activity is occurring.

For guidelines on the use of time-out and a sample document for recording when time-out is used, please see Appendices 1 and 2.

Time-out with an Added Positive Teaching Component

One of the major criticisms of time-out is that it does not teach the child/young person alternative appropriate behaviours.

"time-out" is not an acceptable strategy in the early childhood education context. It does not encourage reflection or give children an understanding of the effects of their action on others, nor does it demonstrate a right way to behave"

(Providing Positive Guidance: Guidelines for Early Childhood Education Services, 1998 p28)



Two types of time-out (Stimulus Change Procedures) that do have a teaching component and are therefore preferable over traditional approaches to time-out are Mini Time-Out and Easy Change.

MINI TIME-OUT

Mini Time-out is a planned procedure where a child/young person chooses to remove him or herself to a specific space for a brief period, usually less than a minute. Mini Time-out allows an individual child/young person to monitor his or her own behaviour and shift out of a developing situation with minimal fuss before returning to the activity (Dunckley, 2006).

EASY CHANGE

Easy Change is a planned alternative activity in which a child/young person can be motivated to walk unassisted (but accompanied) from a room to engage in an alternative, previously practiced activity which has a calming effect e.g. a ball catching activity. This approach allows a child/young person to return to class after a short period of time and with minimum fuss (Dunckley, 2006).

EVALUATION OF THE RESIDENTIAL BEHAVIOUR SCHOOLS

A report provided by the Education Review Office
for the
Ministry of Education

September 2008



EDUCATION REVIEW OFFICE
TE TARI AROTAKE MATAURANGA

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Executive summary

ERO undertook this evaluation of the residential behaviour schools following a request from the Ministry of Education (the Ministry) for information for its future policy decisions. The evaluation involved mapping current practices and outcomes; assessing the most effective and efficient way to support this group of students; and discussing what should be done to meet their needs.

The three residential behaviour schools: Waimokoia; Westbridge; and McKenzie, exist to provide up to 40 weeks' specialist education and residential care for children identified by their schools and Group Special Education (GSE) as having severe and challenging behaviour. The children referred to these schools are in Years 3 to 8 of schooling in state and state integrated schools. The residential behaviour schools are intended to cater for 105 of these students each year but for various reasons only 84 are currently enrolled.

The current governance arrangements could be strengthened so these are more effective and consistent. Management practices in Westbridge and Waimokoia have been of variable quality, with long-term statutory interventions in both schools. Waimokoia has had three commissioners appointed. The current commissioner for both Waimokoia and Westbridge provides vital stability for both institutions but there is a limited likelihood of the statutory intervention in either school being withdrawn in the near future.

Although each school has some elements of good practice, the three residential behaviour schools have no consistent ways of working and, to a considerable extent, are isolated from each other and from other schools. They are currently stand-alone institutions with no demonstrable alignment. Provision is not consistent with best practice and they have historically operated in a climate of competition rather than cooperation.

The quality of principal leadership at Waimokoia has resulted in serious concerns about student safety, which at the time of this evaluation were in the process of being resolved. The capacity of senior and teaching staff to work with students at both Waimokoia and Westbridge is variable and reflects a lack of training and work force development for this sector of special educators. The vulnerability surrounding personnel places these two schools at ongoing risk. McKenzie is well led, settled and is the most effective of the three schools. It remains difficult for the three schools to demonstrate sustained benefit for their students.

There is a significant issue relating to equity of access. Māori boys are over-represented in proportion to the total school population. There are very few Pacific students (three percent) and girls constitute four percent of the current residential schools population. This is inconsistent with the proportions of students receiving GSE services. Access also depends on referral pathways, and a significant number of children who have challenging and severe behaviour are not referred to these services.

There has been significant work done both in New Zealand and internationally on how best to meet the needs of children with severe and challenging behaviour. Apart from the harm these children do to themselves, their families and other children at school, the *Inter-agency Plan for Conduct Disorder/Severe Antisocial Behaviour*¹ makes it clear that 'conduct problems are the single most important predictor of later chronic antisocial behaviour problems including academic underachievement, early school leaving, teenage parenthood, delinquency, unemployment and substance abuse. The pathway for many affected young people typically leads on to youth offending, family violence and ultimately, through to serious adult crime.'

Available literature stresses the value of early intervention, and the need for intervention to be consistent, sustained and to meet the needs of the child in context. Interventions that divorce the child from their family, community and school are perceived in the literature to be of limited value. Current work on reviewing special education provision as well as the development on an interagency protocol between the ministries of education, health and social development is a positive step towards meeting the special needs of this group of children and there is a clear need for each signatory to work to implement the recommendations of the strategic plan.

The cost of residential behaviour schools is high and, beyond respite opportunities, evidence suggests may be of little proven benefit. One of the challenges of dealing with students with severe and challenging behaviour problems is the lack of clear role definitions between and among the agencies involved with the facilities, and a lack of consistent terminology. Some children seem to be referred to these schools for what is essentially respite. The extent to which Vote Education should be responsible for providing residential care of this nature without sustained educational outcomes should be examined carefully.

Issues

It is ERO's view that, in the longer term, retaining all three residential schools in their present form is not the best use of the resources available within the wider network of provision for children and young people with severe behaviour difficulties. Other interventions may be more effective and more likely to have a sustainable impact on the life of the children, their families, their schools and their communities. More localised services and personnel may well be better placed to provide for children closer to their homes, families and regular schools. Interventions that help schools to work with particularly difficult children and their families, in collaboration with specialist services offer better options for using the wider resource.

In the short term however, there are issues that need to be urgently addressed to improve the current functioning of the residential behaviour schools if these are to provide more effectively for this group of students.

In ERO's view the Ministry of Education should consider:

- establishing one overarching board for the three schools' operating with a national referral committee to recommend the most appropriate placement for each child;

¹ Ministry of Social Development, *Inter-agency Plan for Conduct Disorder/Severe Antisocial Behaviour 2007- 2012* (Wellington: Ministry of Social Development, 2007), p3.

- developing a frame of reference/operational guidelines that would apply to all three schools;
- creating the role of national practice leader either as part of an overarching board or as part of the wider network serving students with severe behaviour needs;
- reviewing the current duration of residential care and education in line with international best practice;
- increasing the level of interagency work in determining the most appropriate intervention at the earliest point;
- providing more specialised and coherent training for principals, teachers and residential staff of the three schools; and
- developing common terminology to be used among those who work with children with severe behaviour/conduct disorder.

It is also ERO's view that, although outside its current operational role, GSE could take a more active future role in:

- identifying and disseminating evidence-based special education practice; and
- monitoring the long-term outcomes of interventions for children with severe and challenging behaviour.

Introduction

ERO undertook this evaluation of the role of residential behaviour schools following a request from the Ministry of Education (the Ministry) for information for its future policy decisions.

The Ministry funds three residential behaviour schools, one of these is in Christchurch (McKenzie) and the other two are in Auckland (Waimokoia and Westbridge). These schools specialise in working with students who have severe behaviour difficulties. The schools sit within a wider spectrum of special schools, services and programmes whose operations are of particular interest to the Ministry's Special Education Group (GSE).

Various factors have prompted the Ministry to review the place of these schools on the continuum of provision for students presenting with severe and moderate behaviour issues.

ERO evaluated three areas: mapping current practices and outcomes; assessing the need for alternative approaches; and proposing changes, if indicated. The evaluation asks four overall questions.

- What is the quality of provision in the three schools?
- How effective are the current governance arrangements for these schools?
- What is the most effective and efficient way to support this group of students?
- What should be done to meet the needs of these students?

Background

Strategic links

The aim of the Government's *Special Education Policy* is to improve learning outcomes for all children and young people with special education needs at their local school, early childhood centre, or wherever they are educated. The policy affirms the right of every student to learn in accordance with the principles and values of the Education Act 1989, the National Education Guidelines,² as well as the Special Education Policy Guidelines.³

² *National Education Guidelines* as defined under Section 60 of the *Education Act 1989*.

³ Ministry of Education, *Special Education Policy Guidelines*, (Wellington, Ministry of Education, 2003).

The *Special Education Policy Guidelines* guide the work of all those involved with young children and school students with special education needs. They fit within the context of relevant government legislation, education regulations and policies. The guidelines are based on seven principles,⁴ all of which are relevant to students in residential behaviour schools.

In its *Statement of Intent 2008–2013*, the Ministry of Education notes the importance of including in teaching the principles of personalised learning. This is about making learning relevant and meaningful no matter what the level or ability of the learner. It is central to achievement, and to being flexible and responsive in addressing students' learning needs particularly those of students who are educated in residential behaviour schools.

Ka Hikitia – Managing for Success: The Māori Education Strategy 2008–2012 and the *Pasifika Education Plan 2008–2012* both indicate a strategic focus on earlier identification of and intervention for children with specific barriers to learning. In addition, the organisational success priorities emphasised in *Ka Hikitia* imply the building of better connections among government agencies so that the focus is on raising system performance for and with Māori.

The students at the three residential behaviour schools are among a wider group whose severe and challenging behaviour is a barrier to learning and whose connection to education has been significantly damaged. These are students whose behaviour is severe, persistent across contexts and over time, and which involve repeated violations of societal and age-appropriate norms.⁵ The long-term outcomes for these students are not good. Up to 5 percent of primary school-age children are believed to fall into the category of conduct disorder/severe antisocial behaviour.

The Government funds programmes to help meet the needs of these children and their families in line with the Government priority of *Families-Young and Old*. There is recognition of the need for early intervention to give children the best start in life. The *Interagency Plan for Conduct Disorder/Severe Antisocial Behaviour* was developed in 2007 between the Ministries of Education, Health and Social Development to articulate a vision of working together to better meet the needs of these children.

⁴ Special Education Principles: 1. Learners with special education needs have the same rights, freedoms and responsibilities as people of the same age who do not have special education needs.

2. The primary focus of special education is to meet the individual learning and developmental needs of the learner.

3. All learners with identified special education needs have access to a fair share of the available special education resources.

4. Partnership between parents and education providers is essential in overcoming barriers to learning.

5. All special education resources are used in the most effective and efficient way possible, taking into account parent choice and the needs of the learner.

6. A learner's language and culture comprise a vital context for learning and development and must be taken into consideration in planning programmes.

7. Learners with special education needs will have access to a seamless education from the time that their needs are identified through to post-school options.

⁵ Ministry of Social Development, *Inter-agency Plan for Conduct Disorder/Severe Antisocial Behaviour 2007–2012* (Wellington: Ministry of Social Development, 2007), p2.

The key proposals are:⁶

- leadership, coordination, monitoring and evaluation, including establishing an Experts' Group;
- building on the specialist behaviour services already provided by the Ministry of Education to ensure that by 2012, children requiring a comprehensive behavioural intervention (up to 5 percent of children) receive this level of intervention before they are eight years old;
- progressively transitioning current service provision to evidence-based, best practice interventions; and
- developing a shared infrastructure across agencies for the delivery of specialist behavioural services.

The *Interagency Plan* builds on the inter-sectorial *Strategy for Children and Young People with High and Complex Needs and the Severe Behaviour Initiative* in schools. The plan also has links to the early intervention focus of the *Youth Offending Strategy*.

The Ministry of Education is now in the process of completing an analysis of evidence-based interventions for children in the 8 to 12 year age range on the antisocial development pathway.

This review forms part of the work the Ministry of Education is doing to consider the worth of current interventions. There are similar undertakings from Ministry of Social Development and the Ministry of Health to review the provision of behavioural services to the clients of Child, Youth and Family and provision of service from Child and Adolescent Mental Health Services (CAMHS)⁷ and youth alcohol and drug services. Of particular interest is the intention to review whether Child, Youth and Family caregivers and foster carers are using behavioural support services for children and young people who are in school. The Ministry will consider the level of training required for foster carers in the management of behavioural difficulties in children and young people.⁸

International best practice

What should be done to meet the needs of these students?

The difficulty of saying what works best for these students is evident in the lack of definitive evidence that anything works. The few programmes that meet the standard of evidence-based practice are not in operation in the residential behaviour schools.⁹ Because long-term life outcomes for these children are likely to be poor, intervention

⁶ Ministry of Social Development, *Inter-agency Plan for Conduct Disorder/Severe Antisocial Behaviour 2007- 2012* (Wellington: Ministry of Social Development, 2007), p3.

⁷ Child and Adolescent Mental Health Services were established by the Ministry of Health to provide specialist, accessible and culturally sensitive services to children, young people and their families, who are experiencing significant mental health difficulties. CAMHS are secondary mental health services, accepting referrals from other health professionals, educational and community organisations.

⁸ Ministry of Social Development, *Inter-agency Plan for Conduct Disorder/Severe Antisocial Behaviour 2007- 2012* (Wellington: Ministry of Social Development, 2007), pp46.

⁹ Eyberg, S.M., Nelson, M.M., & Boggs, S.R. *Evidence-based psycho-social treatments for children and adolescents with disruptive behaviour* Journal of Clinical Child and Adolescent Psychology. 37(1) pp215 –237 (Eyberg 2007, Church 2003, Moore 2006).

of some kind and ongoing support for families and teachers are a high priority. Any model of intervention needs to be well supported by evidence that it works and that the benefits claimed for the intervention persist.

The inclusive thrust of education in New Zealand and overseas in the last 15 years has been assisted by a greater understanding of learning processes and more informed attitudes towards and tolerance of difference.¹⁰ However, there is great deal of inconsistency about which children and families get assistance, even more inconsistency in the degree of service that they receive, and a lack of coordination and consistency in planning and procedures for addressing problems as soon as possible.¹¹

In 2003 the Ministry of Education commissioned a best evidence synthesis of the research into the development and treatment of severe behaviour difficulties in children who have the potential for normal development by John Church.¹² Church's work revealed that a significant amount is known about how antisocial development occurs. Church emphasizes some key points in designing interventions. These include:

- the value of early intervention;
- lack of evidence of the efficacy of interventions;
- the older the child the more expensive the intervention and the more people that need to be involved;
- the importance of common terminology across the sectors; and
- that there is no evidence of the efficacy of residential schools as an intervention.

Church¹³ comments on teacher ambivalence about whether they should be responsible for teaching children with severe antisocial behaviour problems and difficulties in implementing the kinds of curriculum changes, behaviour management schemes and monitoring procedures that are required for effective work with antisocial children at this level. This highlights the need for effective teacher training in the necessary special skills and the need for prompt specialist help for schools.

The *Interagency Plan*¹⁴ in its review of what interventions work for children says that there is evidence that school-based interventions work for younger children when offered in combination with child and parent components, but there is no evidence of effectiveness of school-based programmes for children aged from about 9 or 10 years upwards. For younger children, there is evidence of some effectiveness for contingency-based management for behaviour in classrooms, but improvements are not shown to extend to other settings. The younger the child the more effective the intervention, and there was evidence of effectiveness in programmes to train parents in dealing with younger children. For older children, group-based approaches risk worsening the problem behaviours.

¹⁰ Macfarlane, A. *Discipline, democracy and diversity: working with students with behaviour difficulties* (Wellington: NZCER Press, 2007), p24.

¹¹ Bretherton, M. *Meeting the needs of children with severe behavioural difficulties: what can New Zealand learn?* A report from a Winston Churchill Fellowship Award. (1998) p3.

¹² Church, J. *The definition, diagnosis and treatment of children and youth with severe behaviour difficulties: a review of research*. (Christchurch: University of Canterbury, 2003).

¹³ *Ibid* p5.

¹⁴ Ministry of Social Development, *Inter-agency Plan for Conduct Disorder/Severe Antisocial Behaviour 2007- 2012* (Wellington: Ministry of Social Development, 2007), p14.

Aggregation of students may not be the best solution.¹⁵ When such students are regularly placed among others with similar labels and histories, they are exposed to role modelling or contexts that serve only to reinforce or exacerbate issues of concern, ultimately marginalising these students even further. The success of a withdrawal option depends on the programme being targeted, adroitly operated and well led by committed and qualified staff.

Church identified four special teaching needs for these students. They are the need for students to practice responding in pro-social ways to the behaviour of other people; the need to learn that other people can be trusted; the need to learn and to practice age-appropriate social skills, and the need to catch up as quickly as possible with missing academic skills especially in reading, writing and mathematics. Moore et al¹⁶ would add the importance of students knowing that they can achieve.

The lack of evidence of sustained benefit from this form of intervention is a concern. The Ministry of Education has sponsored significant reviews of research findings¹⁷ that are unable to demonstrate sustained benefit for students from their placement at the residential behaviour schools. They argue for early intervention in mainstream schools. Moore recognises that there may at times be a need for withdrawal for the safety of the student or for the benefit of other students. 'Everybody concerned needs to be very clear about the purpose of withdrawal.' The principles for the successful provision of withdrawal facilities are:

- early intervention;
- a focus on positive behaviour support;
- multi-systemic/interdisciplinary teams;
- service that is incorporated into a preventative whole school approach;
- active parental involvement; and
- provision of adequate training and support for personnel.

Few of these principles were observed in the three residential behavioural schools.

Withdrawal from mainstream is an intervention that needs to be carefully managed. More attention needs to focus on the transition back to mainstream school and to the maintenance of gains made. After 14 weeks the difficulty of reintegration may outweigh any benefit.¹⁸ Recognising that these students will probably need support throughout their school careers is an uncomfortable but necessary step.¹⁹

For any intervention to be successful it needs to work across the settings of the child's life and the principles need to be consistently applied. There are implications here for work with schools and families. The older the child gets the harder it is to work

¹⁵ Macfarlane, A. *Discipline, democracy and diversity: working with students with behaviour difficulties* (Wellington: NZCER Press, 2007), p23.

Church, J. (2003) p144.

¹⁶ Moore, D., Anderson, A., & Sharma, U. *Reducing Challenging Behaviour Initiative* (2006).

¹⁷ Moore, D., Anderson, A., & Sharma (2006), Church, J (2003).

¹⁸ Meyer, L. & Evans, I. (2006). *Literature review on intervention with challenging behaviour in children and youth with development disabilities*.

¹⁹ Hornby, G. & Witte, C. (2008). *Looking back on school* p7.

effectively with the families. The over-representation of young Māori males raises issues about who can best work with them and their families and the levels of skill and training required.²⁰

In an overview of provision in New Zealand in comparison with provision in Perth, Dublin and Glasgow, Bretherton²¹ comments on the extent of the services available, the recognition of the importance of a multidisciplinary approach and lack of a punitive attitude in the provision of services for families. The model of levels of specialised support integrated with mainstream settings provided in West Australia is noteworthy of consideration in the New Zealand context.

Church²² says that the consensus among researchers is that highly structured and well supervised programmes are likely to be more effective than more informal types of programmes, that programmes which provide intensive individual tuition and practice in missing social skills and academic skills are likely to produce the fastest gains in these areas, and that programmes which used a well designed token economy are likely to motivate the most rapid improvement in behaviour. McKenzie Residential Behaviour School fits this description most closely. However, follow-up studies of its students cannot demonstrate sustained gains.

The schools in this evaluation

The schools in this evaluation are Waimokoia, Westbridge and McKenzie. Each takes a different approach to providing education and residential care for children between Years 3 and 8 who have severe and challenging behaviour. The processes are distinct and reflect historical factors of establishment and more recent aspects of development and management approaches. Appendix 2 describes the distribution of students attending each of the schools at the time of this evaluation

Waimokoia is situated in eastern Auckland, adjacent to Pigeon Mountain Primary School and Bucklands Beach Intermediate School and is in the general vicinity of the Pakuranga Health Camp. The school has a notional roll of 44 and currently has 23 students. Over 60 percent of the students are Māori and there are currently three Pacific students. There is one girl. While the nominal catchment area is the northern part of the North Island (north of a line from New Plymouth to Gisborne), the school may enrol students from outside this area if there is a 'compelling reason'.²³ Often these outside enrolments result from the referral of girls who, because of McKenzie's admission policy, have been unsuccessful in gaining admission to McKenzie. A significant number of students in the school come from Manukau City and the wider south Auckland area.

The school has an acting principal who has appointed 30 new staff, both teaching and residential, since the beginning of the year. A new commissioner was appointed this year to replace the commissioner appointed in 2002. Pedersen²⁴ outlines a history of governance and management challenges over an extended period.

²⁰ Moore, D., Anderson, A., & Sharma (2006), p54, Church, J (2003) p114.

²¹ Bretherton, M. (1998), p36.

²² Church, J. (2003) p143.

²³ Waimokoia Resourcing Statement.

²⁴ Pedersen, E. (2004).

Westbridge was formerly Glenburn Residential School with social service provision from Presbyterian Support Services. Child, Youth and Family (CYF) funded the residential programme. The Ministry of Education purchased the residential facilities in June 2000 and, until recently, the Anglican Social Services was involved in the provision of a social services programme. With the Anglican Social Services withdrawal, the school is fully responsible for all aspects of provision. Westbridge also receives funding for a Centre of Extra Support (CES) to provide for day students from local schools. There is additional provision for a satellite CES at Stanmore Bay School but it has closed because of lack of demand for its services. Westbridge also has governance responsibility for 20 secondary students in the Future's West²⁵ programme.

According to its resourcing statement, Westbridge has a notional roll of 44 including 24 residential and 20 day students but its actual roll is 24 residential and 8 day students including three girls. Māori students constitute 60 percent of the roll and there are no Pacific students. The school's catchment area includes all the North Island but in practice this is north of a line drawn through New Plymouth, Taupo and Gisborne. Currently students come from the north and west of Auckland, Northland, Hamilton, the Coromandel and Taranaki. The principal is known as the CEO and has been in that position for approximately five years and there is a newly appointed deputy principal who is the programme director. Most of the teaching staff have been at Westbridge for some time. The commissioner has been in place since 2000.

Both Waimokoia and Westbridge are located in areas of Auckland that were previously rural but are now suburban. They are not well served by public transport.

McKenzie Residential School is on the outskirts of Christchurch and has a notional roll of 29 students all of whom are residential and all of whom are boys. Thirty percent of the students are Māori and there are no Pacific students. According to its resourcing statement the school can enrol students 'residing anywhere in New Zealand; in practice it enrolls students south of a line drawn from New Plymouth to Gisborne. A significant number of students come from Levin, Otaki, Palmerston North and Wellington, as well as from the South Island.

McKenzie has a ministerially appointed board of trustees who provide good governance supported by a stable and effective management team.

2008 Funding

	FTTEs	Salary units	Operational funding	Day school funding	Residential ed services	5-year property budget
McKenzie	7.66	4	\$180,855	\$17,905	\$1.32M	\$737,431
Waimokoia	10.10	7	\$215,999	\$17,905	\$1.89M	\$242,382
Westbridge	8.16	4	\$171,931	See below	\$1.06M	\$450,291

²⁵ Futures West is a programme that provides a pathway for suspended students to make a successful return to school. Set up by the nine secondary schools in the city of Waitakere in west Auckland, Futures West has been running for nearly a year in partnership with the Ministry of Education and Group Special Education.

Westbridge also receives an extra \$176,000 funding for Centres of Extra Support and \$375,000 for Futures West. The funding for Centres of Extra Support is based on 20 day students at Westbridge and 14 at Stanmore Bay. There are only eight day students enrolled at Westbridge and enrolments at the Stanmore Bay CES, now closed, were usually significantly below 14. Westbridge has governance responsibility for Futures West but is not directly involved in the Future's West programme.

Methodology

The ERO team developed an analytical framework and a set of evaluative questions to guide this review of the role of the three residential behaviour schools within the network of provision for children and young people with severe behaviour difficulties. The framework set out a structure for the review that included scoping activities, on-site investigations at the three schools, synthesis and emerging findings, discussion of emerging findings and tentative recommendations with the reference group, and the preparation of a report for the Ministry.

In the scoping phase of the review, the ERO team sourced selected readings from both the New Zealand and international best practice literature as well as key documents from the individual schools. The latter included the school charters, annual reports, Schoolsmart data, internal and external review information, and policy and operational documents. The team members also familiarised themselves with the role of other government agencies and the policy framework that supports the provision for children and young people with severe behaviour difficulties.

During the on-site phase of the review, the ERO team visited the three schools and observed both the school and the residential programmes in action. The on-site visits provided opportunities to meet with the principals, senior managers, teachers and residential staff, to undertake structured observations in classrooms, to talk to students in both school and residential settings, to access additional school-specific data and to meet with the Board of Trustees of McKenzie School and with the Commissioner of Westbridge and Waimokoia schools. ERO also asked to hold discussions with union representatives on each site.

In addition to the school visits, interviews were conducted with Ministry and Group Special Education staff, principals and other individuals who had particular knowledge and expertise relevant to the review. The ERO team conducted scripted telephone interviews with 26 principals in the Auckland/Northland area to determine their knowledge of and use of the behaviour residential schools.

The ERO team did not meet with or speak to families of the students attending the three schools because of difficulty of access and privacy issues.

Findings

The quality of provision in the three schools

To what extent do the practices and outcomes in the three schools reflect best practice?

This is discussed under the following 13 headings.

- Governance
- Leadership
- Staffing
- Quality of teaching
- Student Achievement
- Referral Criteria
- Families
- Links with other agencies
- Behaviour management
- Student voice
- Transition
- Residential care
- Ethnicity.

Governance

A commissioner governs both Westbridge and Waimokoia. This statutory intervention has been in place for eight years at Westbridge. Waimokoia has also had problematic governance. Although a specialist board of ministerial appointees was briefly in place, that board was unable to sustain its role and Waimokoia now has its third commissioner. The model of a school board of trustees elected in the main by parents is not feasible at these schools and, where a board operates it is usually a ministerially appointed board. Commissioners in these two schools have wrestled with inadequate reporting, ineffective leadership and poor quality practice, and have been unable to deal with larger issues because of the overwhelming nature of ongoing management issues.

A board of trustees governs McKenzie. The board is well informed and supportive. It consists of trustees who bring differing expertise but a shared commitment to the school. Trustees have a good understanding of the role of the school, its strengths and weaknesses, and their own role in shaping and monitoring the direction of the school. What is lacking is a sense of how McKenzie should fit into the range of national provision and an appreciation of its obligation to provide for children with the most difficult behaviours. Even though McKenzie operates an effective governance and management model, it is unable to demonstrate sustained improvement for the limited number of children who are able to access this resource.

McKenzie benefits from having a committed board and a cohesive management team that enable all staff in the school to feel that they are able to make a worthwhile contribution. As a result there is high staff morale and commitment. This is not the case in the other two schools where low staff morale and a culture of personal

grievances and disciplinary actions have been the norm. The commissioners of these schools have had to deal with a succession of staffing and financial matters and have not had the benefit of robust reporting from their executive directors. The consequent lack of accountability constitutes a serious risk to the Crown. This has been particularly evident at Waimokoia, but is also an issue at Westbridge.

The charter and strategic plan at McKenzie are supported by a useful annual plan that operates consistently across the school and residential provision. It incorporates a cycle of systematic and well-planned self review that is largely missing at the other two schools. At Westbridge and Waimokoia there has been little attempt to use the charter effectively and there is little evidence of systematic self review. The quality of variance reporting on student achievement or on the attainment of any other specified goals is poor. However, management systems at Waimokoia have been well documented, and there has been an attempt to develop systems to collate and analyse data on student behaviour.

Leadership

One of the key roles for school leaders is to provide direction for the work and development of the school and to promote high standards. Such leadership is evident at McKenzie, where a well-established management team demonstrates a unity of purpose, consistency of expectation and effective communication. The principal, deputy principal and assistant principal have adopted a collaborative style of leadership and are well respected by the staff. As a result, staff morale is high. This is not the case at the other two schools.

There is some lack of clarity around the role of the principals at Waimokoia and Westbridge. As executive directors, the principals at these two schools delegate key components of their role to the managers of the residential services and to the deputy principals who are responsible for the school programme. Clear lines of reporting and accountability are not always evident. Reports to commissioners have been of varying quality and have not provided adequate information about some key matters. The position at Westbridge has been complicated by the role of other agencies in providing residential care and social support services.

The intention of Waimokoia and Westbridge to provide leadership in the education sector by serving as 'centres of practice excellence and sources of learning about behaviour management' has not been achieved and, in current circumstances, is unlikely.

Staffing

The quality of staff is an issue at the two Auckland schools. Teachers at Westbridge have been unwilling to take part in school-based professional development on formative assessment. They are increasingly professionally isolated and out of touch with the professional learning being undertaken in regular schools.

Where teachers do take part in good quality professional development, such as the new work on information literacy underway at Waimokoia or the work at McKenzie on numeracy and the new curriculum, the benefits are clear for both staff and students.

Most of the teachers and residential staff now at Waimokoia are new to the school. There are four new teachers, including one beginning teacher. Four of the teachers are provisionally registered. The acting principal has appointed 30 new staff this year without needing to recruit from overseas as had been done previously.

Waimokoia uses a team teaching approach with two teachers per room plus a teacher aide. McKenzie operates with one teacher per room in a physical layout that facilitates interaction between and among teachers and the deputy principal. There is only one part-time teacher aide. At Westbridge there is a teacher and a teacher aide in every room for what staff deem as 'safety'. The teacher-aide role is primarily to police behaviour and to mark student work.

McKenzie's teaching staff all receive the residential schools' allowance of \$900 per annum and work two morning shifts each week in the residence in return for this. They believe that this enhances their relationship with the students and with the other staff. Staff at the other two schools do not work in the residence in this way.

Staff appraisal systems are inconsistent. McKenzie teachers are confident that they demonstrate each year how they meet the professional standards. The principal at Westbridge has been reluctant to address staff performance issues in the school and these have become a significant challenge for the new deputy principal. No appraisal was carried out at Waimokoia in 2007. Systems for appraisals for residential staff vary from school to school and there is little evidence of strong links to targeted professional development.

Quality of teaching

ERO developed a classroom observation format that was given to the principal to be shared with the teaching staff. The observation sheets incorporated ERO's quality of teaching indicators and Moore's adaptations for students with severe and challenging behaviour. There is a high level of consistency between the two sets of indicators. The indicators focused on the quality of teaching, student engagement with learning and evidence of the use of student achievement data.

ERO was interested to see the extent to which students were challenged and expected to achieve, the extent to which relationships between teachers and students were positive and reciprocally courteous, the extent to which relationships between adults in the classroom provided models of courteous cooperation and the extent to which students were confident that their achievement was valued and that they were able to acquire new skills.

McKenzie provided the best teaching and came closest to the model described above. Focused and interactive learning programmes were in place and there was evidence of supportive and affirming relationships. Learning programmes and expectations of achievement reflected the importance that teachers placed on keeping up-to-date with best practice so that students would not be disadvantaged on their return to their own school. Their work on the new curriculum incorporated values appropriate to these students.

Teaching at Westbridge was poor. The focus was on behaviour management and control. Classrooms were reasonably well resourced but teachers' own tools were very dated and reflected their degree of professional isolation and resistance to change. Work on the new curriculum focused narrowly on the principal's "values wheel" and a thinking skills model provided by the new deputy principal.

The teaching at Waimokoia was in the hands of mostly new teachers. Programmes appeared relatively unstructured and the purpose of many activities was unclear. Activities were not well matched to students' abilities or interests, which made it difficult to engage students fully or to keep them on task. Teachers were supportive of students' efforts, and positive relationships between teachers and students were evident.

The number of adults in each classroom at Waimokoia and Westbridge was high. This does not represent the most efficient or effective use of the available staffing resource. At McKenzie there is usually one teacher in each classroom with the deputy principal, a specialist teacher, and a teacher aide in close proximity. The physical layout of the classrooms enables the deputy principal to work closely with teachers, helps to build a collegial, cooperative model of interaction and allows deployment of staff to provide specialist one to one remedial tuition.

Student achievement

Although students are referred on the basis of their behaviour problems, they may also have learning deficits where their behaviour or withdrawal from school has impacted negatively on learning. Equally, achievement data from previous schools may be misleading because of student's or teacher's attitudes to test completion. Consequently it is difficult to determine student entry level, and retesting and assessment are necessary to determine appropriate provision. However, there is an expectation of significant progress when students are placed in a programme intended and resourced to accelerate their learning.

Teachers use a variety of assessment tools. The work of the new deputy principal at Westbridge in introducing asTTLe testing and displaying each child's individual learning profile is part of a determined effort to improve the reliability and validity of data. It also provides opportunities for each child to know how well they are doing and to be able to participate in setting worthwhile and specific learning goals. The analysis of variance report for 2007 indicates that achievement targets in reading were met with 52 percent of students maintaining their progress, but that targets in numeracy were not met. It is of particular concern that 24 percent of students were reported not to have made expected and average progress in reading and that 19 percent were reported to have regressed in numeracy.

At Waimokoia students have individual assessment folders with comprehensive baseline achievement data. There is some tracking of progress in language, mathematics and integrated learning outcomes, and asTTLe results are recorded. There is insufficient data to determine overall patterns of achievement. Waimokoia did not prepare an analysis of variance report for 2007.

McKenzie has comprehensive systems for assessing, recording and reporting individual student achievement. This information is used effectively to set individual student learning and behaviour goals. The analysis of variance report for 2007 indicates that students make average gains in reading age of 1 year 3 months over a 40-week period and that more than half (18 of 30) progress to at least one stage beyond their entry level in mathematics while the others, with one exception, progress within their current stage.

There is no systematic tracking of students once they leave the residential schools. None of the schools could demonstrate that gains made, whether academic, behavioural or social, were sustained when students returned to mainstream schools. In many cases the schools learned through follow-up contact with the receiving schools that students had been subject to disciplinary processes including suspension and exclusion. The Westbridge evaluation of the social services programme²⁶ noted that initial improvements in behaviour were reported but lasted between three days to three weeks and that behaviour tended to deteriorate for all students.

Referral criteria

The criteria for determining the enrolment of students are set out in each school's resourcing notice and are the same across the three schools. For the most part, Waimokoia and Westbridge were found to be operating within the criteria.

McKenzie sets certain conditions for accepting students. These have to do with parent participation, care and protection issues, the continuance of CAMHS support for children receiving it and a GSE plan for transition back to school. Although McKenzie is described in its charter as a co-educational school, it has not enrolled girls for some time. The principal stated that he would not accept a girl on her own into an otherwise all boys group, but would accept girls in groups of at least four. As that situation is unlikely to present itself, the effect is that girls do not attend McKenzie and are excluded from the service unless they are prepared to go a considerable distance to one of the two Auckland schools. An analysis of McKenzie admissions records indicates that it accepts three of seven referrals.

Families

Partnership with parents is not well developed. There are geographical barriers to this in the current mode of provision. Staff report that McKenzie's weekly reports to parents on students' behaviour and attitude are well received by parents. This appears to be a worthwhile attempt to bridge the distance, as is McKenzie's provision of accommodation for each family at some time during their boy's stay. Westbridge now offers a weekly parent skills session that five parents attend; these sessions are designed to replace the work previously done by the Anglican Social Services social workers. There is no evidence of specific work being done with siblings to modify the nature of family interactions.

There remains a perception by many staff in these schools and in the referring schools that the families are the problem. If this is the case, it strengthens the argument for localised provision where specialist staff can work with the child, the family and the school together.

²⁶ Auckland Uniservices Limited. (2007).

The Westbridge evaluation²⁷ notes that the majority of parents or caregivers believed that the difficulties the child was having were largely school-based rather than home-based. This view would support the argument that resources should go into strengthening the capacity of regular schools to manage behaviour.

Links with other organisations

The Education Act 1989 gives the board complete discretion to manage the school. This means that relationships with GSE or other agencies are essentially invitational. The extent to which these schools have maintained effective relationships with GSE varies. The three schools would benefit from GSE leadership in the promulgation of best practice.

Apart from relationship established with CYF through the 11 children currently in care in the three schools, there is little evidence that the schools themselves initiate and maintain constructive reciprocal relationships with other community agencies. Across the three schools a total of 27 students are on medication so there is some link to CAMHS but that is based chiefly on the need for the review of students' medication.

At Westbridge the Anglican Social Services was involved in the provision of a social services programme but it appears that this relationship was not a success.

McKenzie has an ongoing professional and research association with the University of Canterbury.

Behaviour management and the use of timeout

The three schools do not have a consistent approach to behaviour management. McKenzie has a consistent behaviour management approach across the school and residential provision but that kind of internal consistency is not evident in Westbridge or Waimokoia.

All three schools use time out but each uses it differently. GSE has guidelines for the use of time out but it appears that these are for internal GSE use and, although Westbridge had a copy, the guidelines had not been shared with the schools officially. None of the schools follows practices that are consistent with the GSE guidelines on the use of time out and the management of challenging behaviour.

Each of the three schools operates some form of residential token economy as part of their behaviour management strategy.

GSE has a leadership role in terms of behaviour management, use of restraint and time out procedures. This is a role that should be strengthened.

²⁷ Auckland Uniservices Limited. (2007).

Student voice

None of the schools has a mechanism to give students opportunities to voice opinions or to contribute to decision making. McKenzie has a very good practice of adult mentors who make unannounced visits to talk to students. The mentors report on their visits and may serve as advocates should that be necessary.

Transition

All schools have good induction material for children and their families and strategies for keeping in touch with families while their child is at the school. McKenzie's weekly reports to parents are the most comprehensive and best of these.

The transition back to school and home is more problematic. Each school has its own system for managing the transition including which type of staff is involved and the timing and frequency of reintegration periods in the receiving school. Written reports are provided on the student's achievement while at the residential school. Practices for liaising with the teacher who is receiving the student also vary. Although some good practices were evident in the transitioning process, they were not consistent across schools and sometimes not even within schools. It should be noted that not all schools receiving students back into mainstream fully undertake their reciprocal responsibilities for successful transition.

The most difficult transitions usually occur when the student is leaving the residential school at the end of Year 6 and going to a new intermediate school for Year 7 or leaving at the end of Year 8 and going into secondary school. When the receiving school is the one that originally made the commitment to work with the student and has been in communication with the residential school during the student's time there, there is more chance of a successful transition. When the student is unknown to the receiving school, there is less chance of success.

GSE has responsibility for students when they return to a mainstream school but the level of GSE involvement at this stage is variable.

Residential care

Westbridge has the advantage of small co-educational cottages that lend themselves to the creation of a comfortable, family atmosphere. Good practice observed there included non-intrusive behaviour management strategies and a sense of respect for the privacy of the individual students.

The residential dormitory environment at Waimokoia is the most institutionalised of the three, although there have been efforts to enhance the grounds with planting and to upgrade the residential kitchen facilities. Although routines are well established, the residential programme does not reflect thoughtful planning or scope for individual choice and there have been issues of student safety in the recent past.

McKenzie benefits from an exceptional natural setting. Although the students are housed in dormitories, their individual spaces are highly personal. The residential programme is well planned and reflects the school's focus on learning, but in a different context. Students choose from a variety of leisure activities ranging from group activities to more independent pursuits. Students generally meet high

expectations for the care of property and equipment. Although high levels of trust were evident, there was also evidence of a significantly controlled environment.

Ethnicity

Māori students make up approximately 60 percent of the roll at both Waimokoia and Westbridge. There is very little evidence, in either the school or the residential environment, of Māori culture other than some Māori words in classrooms and reference to karakia. There does not appear to be any systematic work to promote Māori culture and pride or to build long-term resilience.

Where do these students fit in the wider network?

During the course of this review ERO contacted 26 school principals in the Auckland and Northland areas to find out what they knew and what experience they had had of residential behaviour schools. Fifteen of the principals had had some experience of either referring students to the schools or receiving students from the schools.

Overwhelmingly principals reported that they preferred to use school processes to manage their students and only considered a referral to a residential behaviour school as a last resort. Many had developed policies and had allocated resources to deal effectively with these students and they knew how to access resources in the wider community. Those who had used residential behaviour schools reported mixed results, which often depended on the effectiveness of the communication between the residential school and the receiving school.

Some of the barriers to principals' use of residential behaviour schools were perceptions that the referral process was lengthy and difficult, that there was poor access to GSE staff when needed or discontinuity of GSE staff, and that there was a lack of communication among agencies. Schools in rural areas were less likely to know about residential schools as an option whereas schools in more affluent urban areas were able to refer parents to private counselling and psychological services.

School principals' desire to meet the needs of their own students in their local schools is consistent with the principles of Special Education 2000 to provide inclusive education.

What alternatives exist to meet the needs of these students?

A range of provision is available to schools and families to deal with children with severe and challenging behaviour. This includes the residential behaviour schools, which provide up to 40 weeks of residential education for children in state and state or integrated schools in Years 3 to 8 of their schooling. There are no other facilities similar in age grouping, duration and intervention to the residential behaviour schools currently operating under the aegis of education.

Since the residential behaviour schools were first developed there have been other significant developments. The Resource Teachers: Learning and Behaviour (RTLBs) have the potential to provide in-class support in teaching strategies for dealing with challenging behaviour. There is still some variation in the quality of the service relating to processes for recruitment, management and governance. Nevertheless, well-respected RTLBs provide worthwhile services to schools and families and

should continue to build their capacity to work with students with behavioural issues particularly in assessing needs and liaising with other services.

The introduction of the Behaviour Specialist Support services in 1998 was designed to provide immediate intervention to help schools manage crisis situations relating to individual students, to provide interventions when schools had exhausted their own strategies, to coordinate across agencies, and to help schools develop proactive strategies and systems. The interventions included Centres for Extra Support to provide day provision in withdrawal settings. Westbridge receives significant funding (\$176,000) for two centres of extra support, one of which has now closed because of lack of referrals from GSE. Other types of intervention may be more successful, but evaluation of this service provision lies outside the scope of this report.

As part of its budget bid 2006-07 *Tackling Disruptive Behaviour in Schools*, the Ministry of Education introduced the Interim Response fund to help schools cope when children with challenging behaviour reached a crisis point. The fund is available so that principals are able get a quick and flexible response to a behaviour crisis. It is intended to be used to stabilise a situation and meet a student's immediate needs, while a comprehensive intervention plan is designed. There are built-in student engagement and accountability strategies for use of the fund.

The increase in the provision of Child and Adolescent Mental Health Services (CAMHS) around the country has improved access to mental health and psychological support for students where that is deemed appropriate. Half the students currently at McKenzie are on medication that relates to aspects of serious and challenging behaviour. The relative percentage at Waimokoia and Westbridge is about 30 percent. CAMHS also deal with a large number of students who remain with their family and in their local school.

The other residential special schools in the country are reviewing or have reviewed the kind of service they offer. Halswell and Salisbury are reducing the length of residential provision and trialling a model of satellite units to allow better integration into the community. This is of particular interest because these schools also serve students with challenging behaviour, although the primary admission criteria is limited intellectual capacity. Halswell maintains links with families and referring schools through the employment of resource teachers in Auckland, Wellington and Dunedin who have a role in ongoing support after the boy has finished his placement at the school.

Health Camps provide short-term residential care and education for a similar age group as residential behaviour schools. Children are increasingly referred to a health camp for moderate to severe behavioural problems and/or some dysfunction in their home life. Placement tends to be at the lower end of the dysfunction continuum. There is an overall lack of clarity about the purpose and objectives of health camps and health camp schools. There are also tensions about the purpose of the teaching and learning programmes offered at the schools. As students attend a health camp for a relatively short period of about five to six weeks there is limited opportunity for the teachers to make a difference to educational achievement or behaviour. Health camps and their schools provide a suitable local respite option that enables students to

remain reasonably close to their homes and families. There is, however, an important question about how long this intervention should be and what form it should take.

Felix Donnelly College provides education for children who are in the care of CYF in various different residential provisions. This includes some, but not all, of the children in the Youth Horizons Trust that was established in 2000 to deal with children with severe conduct disorder. It also now includes children in the care of the Dingwall Trust who are much the same age as children at the residential behaviour schools. The school has had problems with the quality of staffing, poor educational provision and poor governance and leadership. The commissioner and new principal face a challenging task. It would be appropriate to consider the needs of these students in any review of provision for students with severe and challenging behaviour.

Some students with severe and challenging behaviour receive education through the auspices of The Correspondence School, and this is the model that is used for some of the students who are in the care of CYF. This education provision is designed primarily to address literacy and numeracy needs, rather than to change or modify behaviour.

The hospital schools also cater for children with mental health needs, often by supervision of and support with Correspondence School programmes, working with children and families in their homes. The operation of these schools presents a possible model of cooperative programme delivery, in a framework of autonomy and coherence of practice.

The number of children who are believed not to be in education at all presents another significant question. This includes children who have already been excluded from school by age 10 or 11. Access to accurate information about this group of students is difficult but it is reasonable to assume that an important element in their failure to thrive in a school setting is severe and challenging behaviour.

Other provision

High and complex needs funding constitutes a model of interagency funding focused on meeting the needs of the individual child. Funding is provided from health, education or social development (CYF). Features of this model include case coordination, and the integration of existing services or developing new joint services. While this funding model is currently reserved for the most needy children, the principle of such an inter-sectoral alliance around the needs of the individual has much to recommend it.

Provision is also made for older children through various programmes funded by the Ministry of Social Development. The *Interagency Plan* comments that a lot of the demand for CYF services arises from concerns about young people's behaviour, and the programmes focus on conduct disorder and young people who are at risk of re-offending.

Conclusions

What should be done to meet the needs of these students?

Some programmes are not well aligned with the evidence base around the effective treatment of conduct disorder/severe behaviour disorder eg: interventions are not usually coordinated across all the key settings in which a child or young person operates, interventions do not necessarily address other needs in a child or young person's life, and interventions are often lacking in sufficient intensity or duration. Interagency Plan

Any residential programme divorces the child from the family. The ideal is therapeutic foster care for the most needy²⁸ and early intervention is most likely to result in successful outcomes. ERO acknowledges that there is a need for some kind of residential care and treatment for children. The real issue may actually be how best to make educational provision for children who are in residential care and who have severe and challenging behaviour. Consideration of wrap-around provision that starts from where the child's needs are greatest would be consistent with the recommendations arising from interagency work and with intended special education policy outcomes. However, any such solution would require enhanced capacity at the family support level.

If the decision is made to retain the residential behaviour schools in the short term it is ERO's view that this should be done on a different basis and there are some urgent steps to be taken. The three schools should not function independently with little or no reference to research literature and evidence-based practice. Any model of intervention needs to be supported by evidence that it works and that the benefits claimed for the intervention persist.

What is needed is a cohesive, coherent and interdependent operating culture underpinned by a clear rationale for the three schools. If this is to be achieved, the governance arrangements would need to be different. The most efficient way to achieve this would be to establish one overarching board operating with a national referral committee able to recommend the best placement for each child considering their family and school.

The residential provision should be linked to the wider framework of interventions for these students. The place of the health camps as a more localised provider within this network should also be considered. The health camp resource may be best placed to offer short-term respite where appropriate, and provide ongoing specialist support for families and schools around the needs of individual children.

In any consideration of how to best meet the needs of these students there are nine matters to take into account.

²⁸ Church, J. (2003).

Capability

The limited provision of professional training for teachers in special education is central to performance issues. The capability of staff to work with these children is also a factor. The chief tool to build workforce capacity is the recruitment of the 'right' people who are seen as team players and able to cope with the complex needs of the students. Ongoing training and support for teachers, residential staff and principals is critical. In addition, there is a need for explicit principles of programme provision and good practice.

Moore²⁹ identifies the problem of lack of research on the role of cultural factors in the process and the accountability of those deciding what special provision children will experience. Appointments to management positions have not required staff to demonstrate previous experience or training in special education or the management of residential facilities.

There are big demands on school leaders. They have to be capable of liaising with related agencies, understanding different structures and terminology, working with teachers, residential staff and children, working with families, running efficient systems humanely, keeping up-to-date with research and best evidence, and promoting evidence-based practice. They also have the regular principal role of reporting to the board about how accountabilities are met.

Unlike other special schools there is very little specialist provision for these children. Therefore it is of vital importance that leaders of these schools have the ability to recognise need and access specialist support.

Consistency

The lack of consistency among the three schools arises in part from the historic nature of their development. The culture has been standalone and competitive and there has been little or no counter incentive for alignment. Each has developed its own philosophy, its own way of implementing referral criteria, delivering learning programmes and managing behaviour.

Provision has to be consistent with the needs of the child, consistent with best practice and consistent with the needs of the families and school. With such a small service providing for the same body of students, it should be possible for nationally consistent provision.

Communication

Until now it has been difficult to monitor the whereabouts of students and to track them long term. With the adoption of ENROL there is an opportunity to improve communication about students and what happens for them over time. One of the difficulties in determining cost-benefit has been the lack of student tracking once students leave residential behaviour schools. The opportunity now presented by ENROL to capture longitudinal data about individual students' education history may also help to provide some of the missing data about the effectiveness of interventions.

²⁹ Moore, D., Anderson, A., & Sharma (2006), p2.

Interagency communication about children and their families and what interventions are in place would be strengthened by the adoption of a model of wrap-around provision focused on meeting the needs of the child.

Co-operation and collaboration

Thinking about developing supportive, multidisciplinary therapeutic programmes, which look at the child in context rather than in isolation, seem to me the most important areas for development in New Zealand.

Bretherton (1998:16)

The development of the interagency plan has been an important step forward in addressing what can feel to families and schools like fragmented provision. The case coordination model recommended in the plan would be helpful in focusing provision on the needs of the child in the context of their school, family and community.

Strengthened leadership from GSE and more explicit practice guidelines would be useful. All schools would find it helpful to have an overview of the range of provision and where each kind of intervention sits within that. An important step is the commitment spelled out by the Ministry of Education in the recent Auckland Special Education Network Strategy to strengthen working relationships between existing providers, specialist providers and mainstream schools in order to build capability at mainstream schools. The Ministry's commitment to identify and disseminate evidence-based special education practice will provide important leadership in special education.

Constituency

Current provision is inequitable in terms of gender and ethnicity. The percentage of students in the residential behaviour schools does not reflect the percentage of students receiving behavioural services over a six-year period to 2004.³⁰ Girls constitute four percent of the roll at the residential behaviour schools but 28 percent of students receiving interventions under the Severe Behaviour Initiative. Māori are 35 percent of students receiving interventions nationally, but constitute 60 percent of the rolls at Waimokoia and Westbridge. Pacific students seem under-represented at 4.6 percent but are less than three percent of the schools' rolls. If the needs of girls and Pacific students are being met elsewhere, further analysis of how this happens may provide a useful model for better overall provision.

The frequency of occurrence of severe and challenging behaviour in low decile schools needs further investigation. The proportion of antisocial students in low decile schools is somewhere between three and six times greater than those in high decile schools.³¹ Many of the lowest decile schools are in the wider Auckland area and have increasing numbers of Pacific students. Little is known of the prevalence of conduct disorder among Pacific students but anecdotal evidence suggests that it is of concern and is increasing among the generations who are New Zealand born.³²

The same resource allocation could be used more usefully to support students, their families and the schools who are providing for them. The current allocation is

³⁰ Interagency Plan 2007, p 46.

³¹ Church, J. (2003), p2.

³² Conduct Problems Best Practice Report 2008,(in draft).

inequitable and, in part, it is the luck of the draw whether a child comes to the notice of the right people and is assigned appropriate services. Smaller, more local provision should be considered so that it is more feasible to work with families and with schools, either by working with children who are referred for special programmes or by supporting students and teachers in school. The use of health camps, perhaps in a different form, could have a role in this kind of provision.

Culture

Solutions to the problem of disruptive behaviour in class do not reside solely in the identification and treatment of individual children. Researchers agree that an important first step in making better provision for dealing with the most difficult children in schools is to build a consistent culture of non-violence in the school. Schools of comparable socioeconomic status and cultural composition have been shown to differ in their capacity to both prevent and manage behaviour problems. The attitudes of teachers and principals are key factors.³³

Māori parents at a hui to develop a behaviour management programme wanted an approach that would bring parents, teachers, and students together to address the barriers to learning presented by the challenging behaviour of the students. But they also wanted schools to address their concerns that school policies and behaviour management practices were contributing to their students' challenging behaviours.³⁴

This is a challenge that schools are starting to pick up and many of the schools in ERO's telephone survey believed that they could and should address problem students themselves. Providing schools with more immediate access to specialist services and support for teachers is worthwhile, as is continued work to build effective school-wide behaviour management plans.

The Hei Awhina Mātua programme for Māori students who experience behavioural and learning difficulties aims to develop a partnership between parents and other whānau members with the teachers who share responsibility for their children. The success of the work of Russell Bishop in secondary schools provides a further model of how schools can change their culture to benefit all.

Governance arrangements

The challenging nature of governance in special schools is reflected in the fact that, of the 87 statutory interventions in place in June 2008, three were in residential schools and a fourth is in another school, Felix Donnelly College, that provides education for students with severe and challenging behaviour but whose residential provision is made by agencies other than education. Wilson (2001) reports a similar finding in the United Kingdom where ineffective governance for special needs education is identified as one of the factors impeding policy implementation.

A commissioner can provide greater efficiency and clarity of decision-making. As the Auditor General's recent report on Ministry of Education support for boards of trustees points out, the capacity of the commissioner is a vital component in the success of any intervention. However, even the most capable commissioner cannot be expected to deal with chronic dysfunction. It is to the credit of the current

³³ Moore, D., Anderson, A., & Sharma (2006), p2.

³⁴ Glynn, T., Berryman, M., Atvars, K., & Harawira, W. (1997). Chapter 5).

commissioner for both Waimokoia and Westbridge that the vulnerabilities around student safety issues have been managed to assuage significant issues in the case of the former and to deal with ongoing personnel matters in the case of the latter.

Options for governance

The option of one board for these three schools in whatever format they continue has the advantage of consistency and would make it more likely that the schools would serve their intended purpose. It may offer an appropriate structure for providing a national continuum of provision for these students by integrating existing resources from the residential behavioural schools and the health camps.

Once the governance structure is agreed the Ministry would need to develop a frame of reference/operational guidelines that would apply to the three schools. The development of these guidelines would give an opportunity to incorporate international best practice into the operation of the schools and may significantly change their structure and organisation.

Optimum school size

The question of optimum school size is vexed and presupposes the continuation of the schools in their current form. The literature³⁵ is clear about the disadvantages of aggregating these students and equally clear that removing them from local settings is disadvantageous.

These schools are anachronisms. The thrust is always to inclusive practice. They provide expensive respite care but who benefits? What real work is done to prepare for the child's return? If the student's problems emanate from home environment, respite is a false situation. We want highly specialised local units for the extreme end of the range, staffed and managed by people with expertise. The pressure for removal from school typically comes from the school and social worker, not from the parents. Students need to be integrated into the community, able to generalise their learning in authentic contexts. School principal.

Issues

It is ERO's view that, in the longer term, retaining all three residential schools in their present form and mode of operation is not the best use of the resources available within the wider network of provision for children and young people with severe and challenging behaviour difficulties.

There is merit in reviewing the current provision to determine whether local services and personnel would be better placed to provide for children closer to their homes, families and regular schools. The role and purpose of health camps should also be considered as there is currently little clarity about these.

In the short term, however, there are issues that need to be urgently addressed to improve the current functioning of the residential schools if these are to provide more effectively for this group of students.

³⁵ Moore, D., Anderson, A., & Sharma (2006), Church, J (2003).

In ERO's view the Ministry of Education should consider:

- establishing one overarching board for the three schools operating with a national referral committee to recommend the most appropriate placement for each child;
- developing a frame of reference/operational guidelines that would apply to all three schools;
- creating the role of national practice leader either as part of an overarching board or as part of the wider network serving students with severe and challenging behaviour needs;
- reviewing the current duration of residential care and education to align with best practice;
- increasing the level of interagency work in determining the most appropriate intervention at the earliest point;
- providing more specialised and coherent training for principals, teachers and residential staff of the three schools; and
- developing common terminology to be used for children with severe and challenging behaviour/conduct disorder.

It is also ERO's view that, although outside its current operational role, GSE could take a more active future role in:

- identifying and disseminating evidence-based special education practice; and
- monitoring the long-term outcomes of interventions for children with severe and challenging behaviour.

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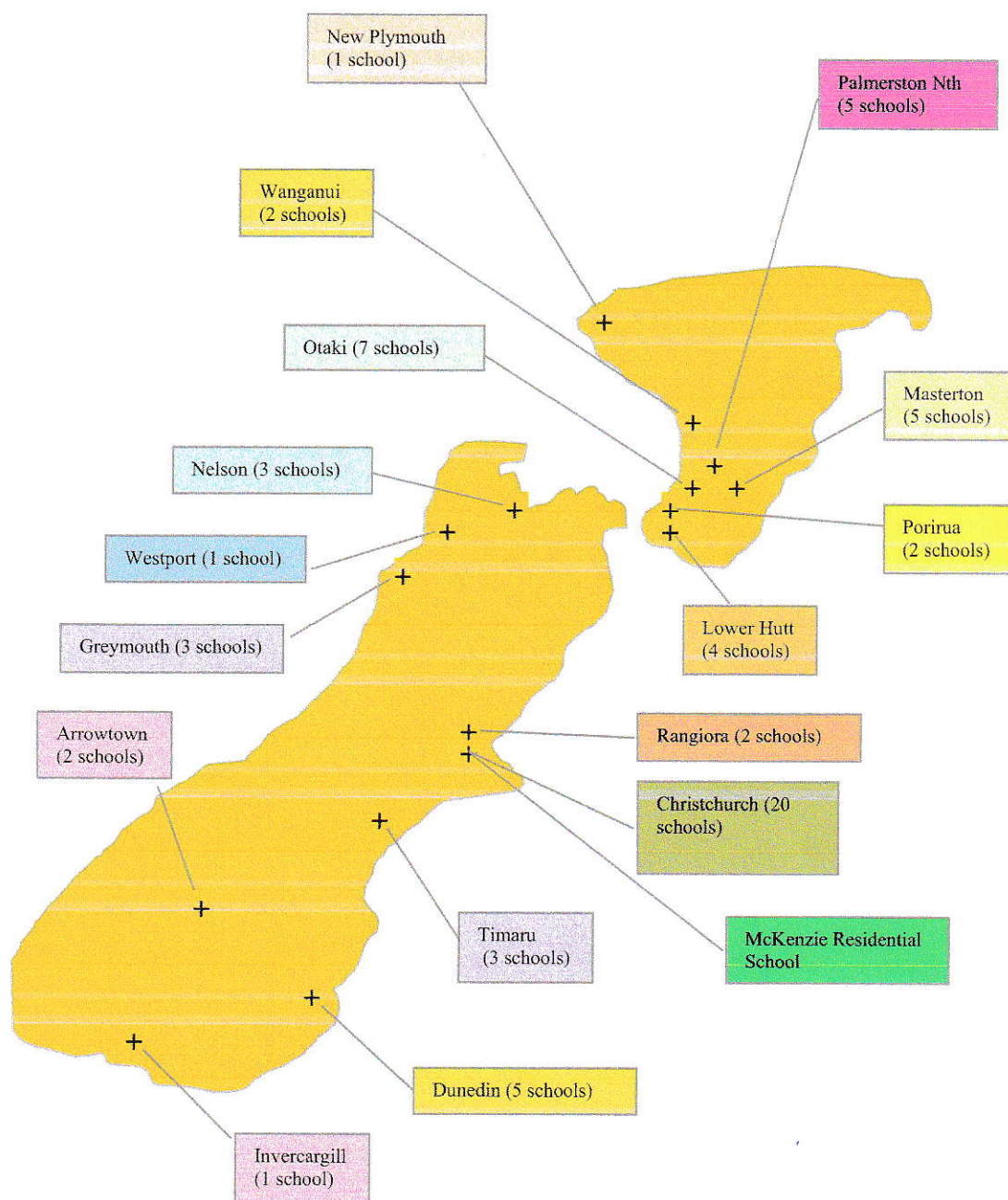
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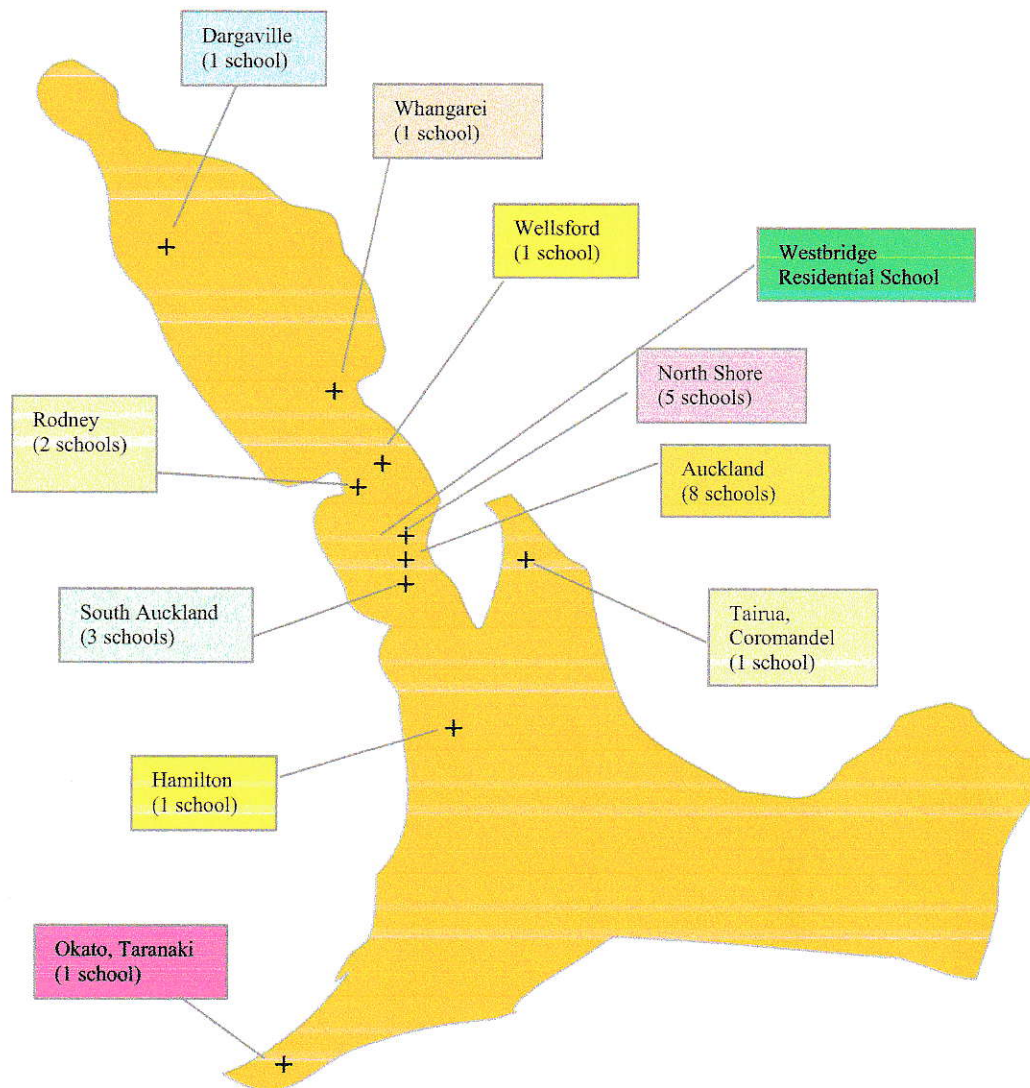
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Appendix 2: Distribution of referrals by catchment area

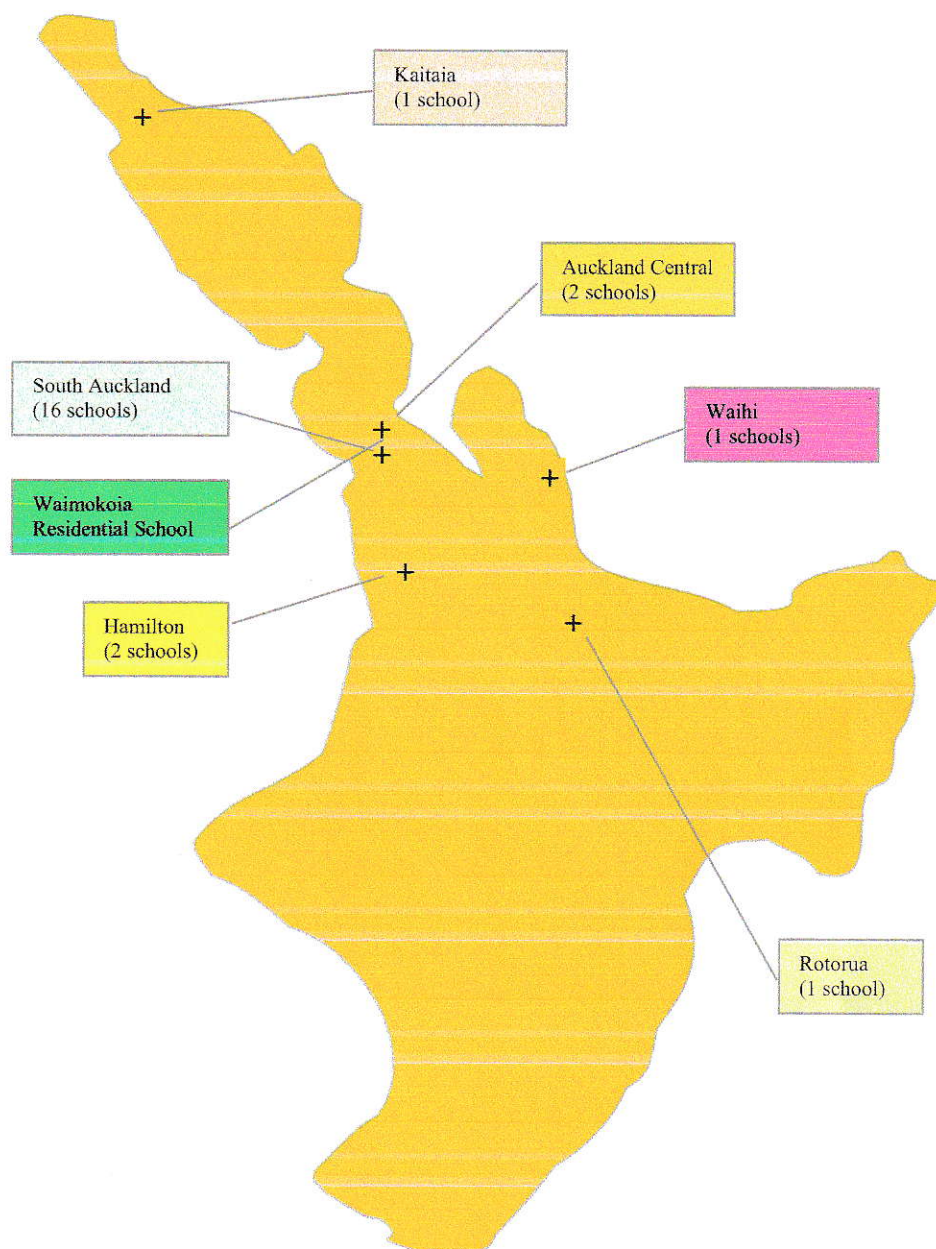
McKenzie Residential Behaviour School



Westbridge Residential Behaviour School



Waimokoia Residential Behaviour School



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Flawed schools have improved, says commissioner


Simon Collins

Reporter · NZ Herald · 4 Sep, 2009 04:00 AM · 2 mins to read

The commissioner in charge of two Auckland schools for children with behavioural problems says teaching at both has improved since a damning report was written.

An Education Review Office report, completed last September but only released on Wednesday night, found "inadequate reporting, ineffective leadership and poor quality practice" at Waimokoia School in Half Moon Bay and Westbridge School in Massey.

Education Minister Anne Tolley has asked for submissions by the end of next week on whether she should close Waimokoia, but has taken no stance yet on the report's recommendation that both the Auckland schools and McKenzie School in Christchurch should be closed "in the long term".

Dennis Finn, who has been commissioner at Westbridge since 2000 and at Waimokoia since last year, said the report was already out of date.

"This report was written in 2008 and it was absolutely correct that the school [Waimokoia] was facing some staffing issues at that time," he said.

Four former staff members were then facing charges for offences against children at the school, although two have since been acquitted. The other two both face retrials next year after hung juries in the past two months.

But Mr Finn said changes had been made at both schools since then, and an updated ERO report on Westbridge in May found that "much better teaching is now evident".

"There were some issues there [at Westbridge], that's for sure. I don't deny that. There has been work undertaken to address them. I'm comfortable about where that is as the commissioner of the school.

"There have been staffing changes, resulting in some change of teaching practices, alongside some professional development."

The school's chief for the past five years, John Rutherford, remains in place, but the new ERO report says a new deputy principal "has had a significant impact on the culture of teaching and learning in the school".

"His insistence on teachers understanding student achievement data and on using the data to inform their practice has been the biggest single change in educational practice in the school," it said.

However, it said there were still "issues about the quality of teaching" and the agency planned to return to the school within a year to check on progress.

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School name	Intervention	Name	Date Commenced
Westbridge Residential School	78N(3)	Dennis Finn	25-Oct-01
Al Madinah School	78N(1)	Chris Saunders	10-Jun-05
TKKM o Piripono Te Kura Whakahou Ki Otara	78N(1)	Tukaki Waititi	14-Apr-06
Colwill School	78N(3)	Trevor McKinlay	23-Jun-06
Te Kura o te Whakarewarewa	78M	Lex Hamill	28-Jul-06
Paki Paki School	78M	Rod Newson	15-Sep-06
Felix Donnelly College	78N(1)	Gail Thomson	15-Feb-07
TKKM Pumau ki Nga Reo o Ngapuhi	78N(1)	Hohepa Campbell	18-Jun-07
Kawerau College	78M	Lex Hamill	22-Jun-07
Rangiriri Primary School	78M	Colin Muter	14-Sep-07
Te Kura Taumata o Panguru	78M	Barbara Judge	5-Oct-07
Salisbury Residential Special Sch	78M	Janet Kelly	25-Jan-08
Kakatahi School	78N(1)	Dallas Murdoch	20-Mar-08
Auckland Seventh Day Adventist High School	78M	Gail Thomson	25-Jul-08
Paparoa School	78M	Derek Birt	8-Aug-08
Parkside Christian SDA School	78M	David Halliday	15-Aug-08
Woolston School	78N(3)	Christine Nijdam	22-Aug-08
Makoura College	78N(3)	Tim White	29-Aug-08
TKKM O Te Matai	78N(1)	Colin Rangi	29-Aug-08
Opononi Area School	78N(1)	Chris Saunders	11-Sep-08
Te Kura Kaupapa Maori o Otepoti	78M	katharina Ruckstuhl	10-Oct-08
Manawahe School	78N(3)	Trevor Kilpin	28-Nov-08
Mayfield School	78M	Adrienne Rossiter	12-Dec-08
Westport North School	78M	Janet Kelly	19-Dec-08
Richmond School	78N(1)	Denis Cocks	20-Dec-08
Selwyn College	78N(1)	Collene Roche	21-Jan-09
Sir Edmund Hillary Collegiate	78N(1)	Gail Thomson	30-Jan-09
Te Kainga Whaiora Children's Health Camp	78N(1)	Ray Brown	13-Feb-09
Fairfield College	78N(3)	Dennis Finn	23-Feb-09
Otepopo School	78N(1)	Mike Allison	13-Mar-09
Tokoroa Central School	78M	Trevor Kilpin	20-Mar-09
Otakiri School	78M	Jack Hourigan	21-Mar-09
Taupiri School	78M	Gillian Diprose	21-Mar-09
Marlborough Boys' College	78M	Murray Hunt	28-Mar-09
Richmond School	78N(3)	Rod Newson	17-Apr-09
Manukorihi Intermediate School	78N(3)	Geoff Moorar	1-May-09
Robertson Road School	78M	Marge Scott	8-May-09
Raphael House Rudolph Steiner School	78M	Ken Wilson	5-Jun-09
Rosebank School	78M	Judy Hucker	9-Jun-09
Stratford High School	78M	Jenny Ang	9-Jun-09
Whangaruru School	78M	Chris Saunders	24-Jul-09
Kaikorai Valley College	78M	Steve Dunbar	7-Aug-09
Te Kura o Otangarei	78M	Denis Buckland	7-Aug-09
Barrytown School	78N(1)	Janet Kelly	14-Aug-09
St Joseph's School (Hastings)	78M	Rod Newson	21-Aug-09
Kawerau North School	78M	Jack Hourigan	11-Sep-09

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ERO slates school for making pupils write out lines

Catherine Woulfe

27 Nov, 2005 11:35 AM 2 mins to read

An Auckland school has been rapped on the knuckles for dishing out lines to its students.

The Education Review Office has criticised Massey's Westbridge Residential School for "use of writing as a disincentive".

In its latest report on the school, the ERO says students put in "time out" had to copy out a sheet of writing to help them reflect on their experience. "Students could thus perceive writing as a form of punishment," it says.

And at least one mother agrees.

Yolande Jeffares of Mangere said her 16-year-old daughter had been given lines to do at school, but she regarded the punishment as a joke and made up her own words.

Mrs Jeffares said for some children, being forced to write lines was "tantamount to abuse".

"From a psychological viewpoint, the message it's sending is that writing is a chore.

"We've got huge percentages of our kids in schools failing because we aren't adapting."

Judine Ladbrook, principal education lecturer at Auckland University's Epsom campus, said forcing students to write lines was an "extraordinary waste of time" and was the sort of punishment that featured in 1950s novels. Since the 1980s she had been training teachers to use punishments that "fit the crime".

"If it is going on, it would be an individual teacher's choice," she added.

Another mother said lines were "ridiculous ... a complete waste of time and hardly in keeping with the way that literacy education is heading".

- HERALD ON SUNDAY

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Departmental

Amendment to Appointment of a Commissioner for Waimokoia Residential School (1551)

Notice Type

Departmental

31 Jan 2008

Tags

[Education Act Appointment of commissioners](#)

Notice Number

2008-go79

Page Number

352

Issue Number

14

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[Principal Edition, 31 January 2008.](#)

[PDF \(338 KB\)](#)

[See page 352](#)

Pursuant to section 78N(3) of the Education Act 1989,

I hereby amend the notice of appointment of a commissioner for Waimokoia Residential School (as published in the New Zealand Gazette, 7 November 2002, No. 163, page 4092) and appoint

Dennis Finn

as commissioner.

All functions, powers and duties of the board of trustees of Waimokoia Residential School are vested in the commissioner.

This notice takes effect the day of publication.

Dated at Wellington this 29th day of January 2008.

KAREN SEWELL, Secretary for Education.

Page title: Amendment to Appointment of a Commissioner for Waimokoia Residential School (1551) - 2008-go79 | New Zealand Gazette

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Waimokoia 'abuse was systemic'

By CLIO FRANCIS - Sunday Star Times Last updated 05:00 08/08/2010

It was a school of last resort for some of New Zealand's most troubled kids. But one former student says it 'took the broken and broke them further'. Clio Francis investigates the full horror of life at the state-run Waimokoia Residential School, and why it's taken so long to get justice.

WAIMOKOIA RESIDENTIAL School's "time-out" room was an innocuous cinder block building near the tennis courts which, to the uninitiated, looked like a harmless storage shed. But to some of the troubled students who attended the school near Howick, in South Auckland, the mere sight of the bland building was enough to instill terror. To them, it was variously known as the pound, the cell, the bunker and, perhaps most appropriately of all, the dungeon – for the abuse which former students claim happened inside its windowless walls amounted to torture.

Inside the room a student alleged a staff member stapled his penis to a chair leg, beat him with a soap in a sock, tried to sodomise him and stubbed out cigarettes on his skin. Others said they were sexually abused or locked inside the room for days without a toilet – the smell of urine was overpowering. The worst of the abuse occurred in the 1980s, but the room was still being used to discipline students right up until the school's closure last year.

"I think the word time-out room is probably the wrong word for what this room was," says a former female student, now 36 and living in Australia. "It was a concrete bunker, like something out of World War II. There was a little light in the corner that was covered with wire. I don't think you will ever forget the smell of urine and you were locked in there, there was nothing – no windows, no nothing."

The room became the graphic focus of the high court trial of Graeme McCardle, 58, which ended in Auckland this past week. During four weeks of often harrowing testimony, the lid was lifted on a sadistic culture of abuse at a school that was supposed to be helping troubled kids, but instead damaged them to such an extent that many turned to lives of crime.

Police sources confided to the Sunday Star-Times that they believe there are many more victims out there, and probably several more offenders who may never come to justice.

Education Minister Anne Tolley shut the school down at the end of last year, "in the interests of the students", after a lengthy history of governance and management difficulties, but there was no mention at the time of the abuse allegations.

The minister told the Sunday Star-Times she was aware of multiple police investigations into staff at the school and did not believe staff had maintained their duty of care to students.

Asked whether she knew pupils were placed in the time-out room until as late as 2009, she replied, "Yes."

On Monday, a jury found former social worker McCardle guilty of 15 of the 24 counts he faced, including indecent assault and sexual violation. They deliberated for a near-record six days. It was his second trial – the first ending last year with a hung jury – and finally provided a glimmer of justice for the long-suffering victims.

From the start, McCardle denied any of the abuse had even happened. His lawyer, Ron Mansfield, told the court his client, who until late last week worked as airside operations manager at Auckland International Airport, was "not a paedophile and he's not a sadistic abuser of children".

"These things did not happen to these children at this school. It's as simple as that. There are no shades of grey or issues of consent."

It was just the latest case involving Waimokoia to come before the courts. Since last year there have been three high court trials and two district court trials, involving 20 different complainants and three accused former staff. The alleged abuse occurred as recently as 2007 and dated back to the 1980s.

The first accused, a former staff member, went to trial at the High Court at Auckland in February 2009. His health deteriorated and after nearly two weeks of evidence, the trial was aborted. He suffered a heart attack in August last year and died before a retrial could be heard.

Last year a third former staff member went to trial in the Manukau District Court on charges including assault on a child and threatening to cause grievous bodily harm involving 10 complainants. Again a jury could not agree on a verdict and a retrial was ordered. In June this year the man was acquitted on the 11 charges he faced.

Yet another teacher who taught at the school in the late 1980s has since been struck off the New Zealand teachers register. He was sentenced to two years' jail at Auckland District Court in 1998 on multiple indecent assault charges.

Until now the public has had little idea of the goings-on at the school, because it applied to the court for its identity to be kept secret at the previous trials. At the start of McCardle's trial, suppression was lifted.

The court heard of bizarre practices at Waimokoia. In the 1980s, one principal would hypnotise students in his office in the belief it would curb their behavioural problems. Other students described how they were forced to eat an apple pie crust filled with dishwashing liquid and watched as a girl was made to suck a lollipop covered in ants and dirt.

Police were slow to act when allegations of abuse first emerged in the mid-1990s. The man whose penis was allegedly stapled to a chair laid a complaint in 1996, but police did nothing until a decade later, when another complainant came to light.

So how was such a sadistic culture allowed to develop at the school?

The court heard that in the 1980s, the school employed people with little or no formal training. Many were hired from word of mouth or had inter-family connections to other staff. Sources say some staff had free rein to indulge their sexual proclivities.

Secretary for Education Karen Sewell said McCardle had abused his position of trust and committed crimes against some of the most vulnerable in society. "We recognise the courage of those who came forward to give evidence and tell of the effect these crimes had on their lives."

And it was not just children who saw the darker side of McCardle.

A Crown witness in the most recent trial, a former assistant social worker at the school, told the court how McCardle appeared in the children's bathroom and asked her to lift her skirt while he masturbated. Another time he asked her to perform oral sex on him in the time-out room.

"He went from being a nice person to somebody who suddenly gained all the power. There was a change in personality or character."

A former student, a mother now aged 36 who gave evidence at trial, told the Sunday Star-Times she believed the Ministry of Education knew the school was "rotten". "Not until I was part of this case did I understand how badly had the ministry failed us, because not only did they take us out of abusive homes, they took us to somewhere when they knew there was abuse going on. They did nothing and they didn't care, and then when it did come out... they still did nothing."

"They took the broken and broke them further. They took the broken and just decimated any hope we had of ever having any kind of life."

JOHNNY* WAS only nine when he arrived at Waimokoia in 1984. The school, which in Maori means "troubled waters", had opened four years earlier in a quiet cul-de-sac in the then rural Bucklands Beach, and was designed to cater for children with severe behavioural and social problems who were deemed too difficult for mainstream schooling.

Johnny was "hyperactive" and had already been through several children's homes and foster families. He alleges the abuse at Waimokoia began almost immediately.

One night he had been asleep in his dormitory bedroom when he heard the door open. McCardle sat on his bed and started talking to him. Then the beating began. "I took a whack to the face and, the next thing I knew, he was on top of me."

He passed out and when he woke up, discovered semen on his thighs. He hid in a wardrobe until morning.

The abuse would often take place in the time-out room, where Johnny would be sent after running away. His tormentor McCardle would appear, often with the ominous greeting: "It's time to have fun."

Johnny alleges McCardle would assault him with a chair leg, thrash him until he was numb with a cake of soap in a sock, fire staples from a staple gun into his penis and stub out cigarettes on his skin.

But McCardle was found not guilty on those charges, as well as two charges of attempted sodomy, and his lawyer, Ron Mansfield, claimed at trial that Johnny was a "seasoned liar" and a "manipulator". "He says what he wants if it gets him some advantage."

Johnny says he never spoke of what happened to him at the time.

"Who's going to believe a ward of the state? A lot of kids used to say a lot of things to get out of there." Johnny admits he turned to crime when he sought pay-back against the school during a holiday break. He broke into the school, lit some paper on fire and fled. It took 20 firefighters to get the blaze under control. "The building was just about destroyed, I believe."

He left Waimokoia a year later, but the abuse had dramatically altered his life. Finally, in 1996, he started to talk. By then he had been convicted of several arsons and was serving a lengthy stretch in Waikeria Prison.

In a letter to a prison psychologist, Johnny said: "I was at Waimokoia for about two years at the most. In those years I was put through the worst experiences of my entire life. It was from there on that when anyone did anything wrong to me I would go out and do an arson job to calm myself down."

In August 1996, former police officer Wayne Reed went to the prison to speak to Johnny about the abuse. Reed had previously arrested him for earlier arson offences. In April 1997, a doctor was arranged to take photos of the scars on Johnny's genitals and the burns on his neck and hands.

The police file was sent to Howick police station in Auckland for further investigations. But the accused was never questioned and Johnny not contacted. It would be another decade before police came calling, visiting him in prison after receiving another complaint about McCardle, this time from a former female student. "You took your time," Johnny told the officer who came to investigate.

The new complaint had come from a 36-year-old woman living in Dunedin.

With a detective present, the woman telephoned McCardle to try to get him to make admissions. The first phone call failed to record, but the second became the cornerstone of McCardle's two trials.

In the 30-minute call, the victim asked: "I guess I just want to understand what happened. What happened? Why did you choose me?"

McCardle: "As I said, I have no explanation."

Victim: "Do you accept responsibility?"

McCardle: "Well it wasn't your fault, it was nothing, it wasn't you."

Victim: "I'm making this phone call to the man who abused me in this institution that was meant to look after me and protect me. How the hell am I meant to go about that? Do you know what I mean?"

McCardle: "Yeah."

Victim: "What would you do if your wife found out?"

McCardle: "I don't know. If my wife found out, I'd be on my own."

Victim: "I need to hear from you, 'I'm sorry... I am f----- sorry that I abused you'."

McCardle: "I am and I just, y'know, I can't say any more than that."

McCardle said he hadn't realised what the woman was talking about until late in the conversation and had answered the way he had so as not to aggravate her.

"I've seen or heard of people who've been falsely accused and it's destroyed their lives. Even in the end when they're found not guilty, their lives are virtually destroyed by it, financially and mentally," he said in evidence.

THE TRIALS provided many former students with the chance finally to confront their alleged abusers. Many of them had long criminal records or were current prisoners, and they expressed their fury at their alleged abusers when they testified, making for dramatic scenes in the courtroom.

During last year's trial of the now deceased former teacher, a 33-year-old man with gang connections, currently in jail for serious offences, became so angry he tried to flee the dock as he gave evidence.

"I was a little boy you know. I was shit scared of this f----- here, he's wrecked my f----- life. He's a f----- scumbag. I was a naughty kid, but I didn't deserve to get bashed and molested, mate," he said.

In the same trial, a 35-year-old man from Auckland yelled at the accused, demanding he look at him as he gave his evidence.

"I'm not scared of you. I'm 35 years old and I've got kids and if you want to look at me, look at me!"

When Justice Hugh Williams started to interrupt, the witness said: "It's just I'm not scared any more, your honour. This is my time to tell it, sir."

A 37-year-old Northland man called the accused a "dead man walking".

The convicted burglar said he hadn't spoken of the abuse for 20 years, until police came knocking in 2007.

"The only thing I could do to forget about it is drink, drink and drink my life away because I couldn't handle it and then I got locked up. The hardest part is sitting here and talking about it. I feel like I could go to sleep and not wake up, man. This f----- has f----- me over."

A 31-year-old man from Palmerston North said he'd been threatened by the former staff member to never tell anyone about the abuse.

"That is why I never told my mother or any of my family anything. I just blocked it right out of my life. I'm ashamed to tell anyone about it. I want that motherf----- to rot in prison, to f----- rot in hell, otherwise I'll go in there and do it myself."

Not all students despised their time at Waimokoia. Some former pupils gave evidence in defence of the school, saying it had given order and security to dysfunctional childhoods.

One former pupil told the court: "It was good in the sense you'd get up in the morning, make your beds, clean yourself up. Simple things...Mum never really sat us down and showed us how to use a knife and fork. It taught me a lot of manners. It was pretty much military, 'yes, sir' 'no, sir'. I do appreciate those things

because I have been able to hand them down to my kids."

In a string of Education Review Office reports over the years there is no mention of the abuse allegations at Waimokoia and only in one, in 2005, was the time-out room criticised.

The report's author touched on concerns about the room, noting there were no windows.

During McCardle's trial, Bronwyn Boniface, who worked at Waimokoia for more than 20 years, said she had concerns about the time-out room.

"I can only speak from my own point of view but I always found it a little disturbing. The kids were unhappy going there and I would've been too. I do recall children being in there for a long time. I'm talking more than an hour you know, quite a long time. I have one recollection of a child being in time-out for days."

But for one former student, a 36-year-old woman, last week's verdict brought little peace.

"I want a sorry. I want an apology.

"It is so much bigger than just this one person. The abuse was systemic at that place. It wasn't just him and the others who knew and kept it quiet are just as guilty. They had a duty of care and they failed us miserably."

** Not his real name.*

WHO IS GRAEME MCCARDLE?

Graeme McCardle grew up in Palmerston North, the son of a social worker. After finishing school, he began an apprenticeship in screen-printing before moving to Auckland in the mid-1970s to start his own printing business. He worked briefly at Bollard Girls' Home as a court escort before beginning work at Allendale Girls' Home as a social worker. McCardle started working at Waimokoia Residential School in 1981. He told the court the longest he ever saw a child put in the time-out room was about 25 minutes. He left the school in 1987 and sold real estate in Howick for five years. Afterwards he worked at Auckland Airport in security for 18 years before being promoted to the role of manager of airside operations last year. He denied the 24 charges of physical and sexual abuse. "At no point in my life have I ever done that, let alone at Waimokoia," he told the court during the trial, where he was supported by his wife of 38 years and his adult daughter. He is in prison on remand, awaiting sentencing in late October.

TIMELINE

1960: The Mount Wellington Residential School for Maladjusted Children opens for children "so disturbed emotionally that they are not able to profit from attending an ordinary school".

1980: School moves to Bucklands Beach, renamed Waimokoia Residential School.

August 1996: Johnny* complains to police about abuse he suffered at Waimokoia.

April 1997: A doctor examines Johnny's injuries and photographs are added to the police file. It is sent to Howick police station, but no further inquiries are made.

2001: The police complaint made by Johnny is officially "filed". No reason is given for why this investigation has been halted.

November 2006: A 36-year-old woman makes a complaint to Dunedin police about abuse at the school. She telephones the accused and confronts him with allegations of abuse in a recorded call.

June 2007: Police arrest Graeme McCardle and charge him with abuse at Waimokoia.

2008: The Ministry of Education commissions the Education Review Office to evaluate residential behaviour schools.

February 2009: A trial begins in the High Court at Auckland involving another former staff member. The trial is stopped in March due to the accused's ill-health.

May 2009: Graeme McCardle's first trial begins in the High Court at Auckland. The jury is unable to reach a verdict.

November 2009: Education Minister Anne Tolley announces the school will close after a history of governance and management difficulties.

June 2010: Another accused is acquitted of 11 charges relating to abuse at Waimokoia School after a retrial at Manukau District Court.

July 2010: At his retrial, Graeme McCardle is found guilty of 15 out of the 24 charges relating to sexual and physical abuse.

** Not his real name*

Gazette.govt.nz

Departmental

Amendment to the Composition of the Combined Board of Trustees for Westbridge Residential School (4157) and Halswell Residential College (522)

Notice Type
Departmental

23 Jun 2016

Tags

Education Act Composition of board of trustees Education

Notice Number

2016-go3562

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1688

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[View PDF](#)
[PDF \(21 KB\)](#)

Under section 95 of the Education Act 1989, I hereby approve the following composition for the combined Board of Trustees for **Westbridge Residential School (4157)** and **Halswell Residential College (522)**:

1. Up to five members appointed by the Minister of Education as the Minister considers appropriate;
2. the principal of Westbridge Residential School;
3. the principal of Halswell Residential College;
4. one staff representative nominated and elected by the staff of the two schools; and
5. up to three trustees co-opted by the board.

Except as set out in this constitution, all provisions of the Education Act 1989, and any regulations made under it regarding eligibility, casual vacancies, appointments, term of office and elections, apply to the board.

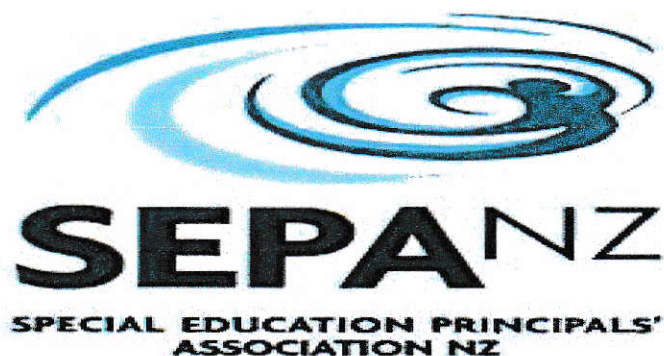
This notice takes effect on 10 June 2016.

Dated at Wellington this 26th day of May 2016.

Hon HEKIA PARATA, Minister of Education.

Page title: Amendment to the Composition of the Combined Board of Trustees for Westbridge Residential School (4157) and Halswell Residential College (522) - 2016-go3562 | New Zealand Gazette

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"It's not where, it's how"
 "Ehara I te wāhi ko te tino take, engari me pēhea"

PRESIDENTS NEWSLETTER

Term One, 2016

Tēnā koutou katoa

Greetings to you all.

The Education Sector has been a very busy one thus far this year. Reviews such as – Education Act, Vulnerable Children's Act, Special Education Update – have generated a flurry of activity! The Ministry of Education has delegated many work-streams specifically to address such reviews. It is affirming to know that SEPAnz representation has been included in the majority of the MOE's responses to legislative change.

Special Education Up-Date meetings –

The Minister's foreword to the Update brochure explains the impetus for the update. Many of you will have attended your regional "feedback forum". As president of SEPAnz I was given a "map" demonstrating projects set up by MOESE – however regional forums have presented the same information. The majority of the projects concern transition processes as children move along the Schooling pathway. Hopefully our expertise in the area of transition will be sought and included in the various projects.

Communities of Learning:

I understand that at least six Special Schools have already joined a C.O.L. and more are in the process. Although we had mooted the possibility of "Special School C.O.Ls." the model did not fit the intent. It makes good sense for each Special School to consider joining a "local C.O.L." even though we interact with many schools due to our Satellites and Outreach Services. We have a great deal to offer to a Community – which is precisely why the Minister urged us to join a C.O.L. There is no "blue-print" for this initiative as yet which makes it exciting! It is an opportunity for at least some of us to try some creative collaboration. The Minister has made it clear that at least for the first two years, resourcing for such "creativity" will only be available through the C.O.L. initiatives.

Health & Safety Sector Reference Group:

The MOE responded quickly to the impetus of the Vulnerable Children's Act. As a result of some "pressure cooker" workshops you will have received a professional, comprehensive

package. Understanding our responsibilities, ensuring policy and process is in place and implementing it within our settings is imperative.

The revised *EOTC Guidelines 2016 - Bringing the Curriculum Alive* are now available online for download on the [TKI website](#). The focus for the review was to ensure the guidelines were compliant with:

- The Health and Safety at Work Act 2015
- The Vulnerable Children Act 2014
- The Health and Safety at Work (Adventure Activities) Regulations 2016.

These guidelines support the New Zealand Curriculum and Te Marautanga o Aotearoa and align with and complement the newly released [health and safety practical guide for boards of trustees and school leaders](#).

New process for Reporting Progress and Achievements for Students working within one curriculum level for an extended period of time:

As a group we have long discussed the tension created by reporting against the National Standards when the majority of our young people will work within levels one and two for all of their schooling. Sally Jackson, MOE Wellington, is the coordinator for this work-stream. Several working parties have been convened. Currently the developed process is with NZCER for review and feedback. Ultimately this process will be pivotal as we forge relationships within C.O.L's. The final process of necessity will be fairly generic – to suit all schools with enrolled Students with ORS. Many of us may choose to continue to gather data using our own processes as well as addressing the “new” means of reporting nationally.

Restraint & Seclusion Workshops (not real name!!)

Nationally and across all sectors some Children are being secluded from learning opportunities due to behavioural or other reasons. This is deemed unacceptable. Likewise incidents of Children/young people being restrained using various techniques has caused concern. This working party was convened to address both matters. I have been impressed by the calibre of participants and the concepts discussed, and then refined into a resource that will be available on line. Ultimately, as always, individuals must be responsible for their own actions. This resource will be readily available when completed and will advise people on Best Practice. First phase of implementation (over May/June) is targeted at a sample of schools across the country. In effect a “road testing” phase that ensures that the guidelines work for schools. This phase provides the opportunity for further refinement of the guidelines and support material based on the feedback provided from schools.

Ministerial Cross Sector forum:

Hon Hekia Parata convened the day. She spoke knowledgeably and with passion! The day consisted of high level workshops – each one introduced by the MOE Leader– as follows:

Updating the Education Act – Ellen MacGregor-Reid. I questioned whether the S9 and S10 process were part of the Education Act review – Ellen had not heard of them. The Minister

answered and advised that if SEPANZ wanted to submit about those two Sections we were welcome to.

Workforce Supply and Quality – Lisa Rogers

There is no evidence that schools are experiencing genuine staffing supply problems. Replacing the aging Principal and Senior Leader population (which makes up more than 60% of all School Leaders) is however a problem. Apparently, “young people – middle leaders” are not interested in the stress involved with school leadership (for the pay offered)!

Special Education UpDate – Katrina Casey – generally a regurgitation of information many of us were aware of – transition processes between Early Childhood sector and School and being “run by” RTL&B and MOE-SE. They have yet to adequately involve special schools.

Community of Learning (COL's) – Katrina Casey and Lisa Rogers. Generally there has been quite a good up-take of schools expressing interest in joining such communities. A representative of all BOT's from each COL will be part of the COL leadership team.

SEPANZ Executive meeting 14th – 15th March:

A convivial and successful meeting – hopefully we will all continue to work together to enhance positive outcomes for all special schools. Please continue to connect with your executive member and don't hesitate to contact me if you think I can assist.

Dates have been set for the remaining three SEPANZ Executive meetings to be held this year.

NZPF Moot:

I attended the MOOT – “The Purpose Of Education”. The Minister opened the ceremonies with her usual strong address – which is inspirational for some and challenging for others!

The main speaker was Prof Andy Hargreaves (Boston University) – for many years Andy has been a world wide leader/thinker in Education and conducts multiple research projects to test theories and practices. British Schools will look at becoming Academies backed by business. He urged folk to carefully consider their “Core business” – what is our purpose, who is our community? Connect the future to the past – always.

Uplift our young people by uplifting our staff!

Click

CLICK Special ED NZ- this web site was collaboratively designed and set up by many of our special schools and facilitated by Julie King. The mechanism became too cumbersome to continue so it has been closed down. Assets have been devolved to SEPANZ.

Another host site is being established. The Key Competency Pathway tool will initially continue to be managed by Julie King until the Executive meets in June to discuss what other options might be available.

Sincere thanks go to the members of the Trust team, those Principals who have long supported the project and to school co-ordinators who worked with Julie. Julie galvanised many Special School Folk and her energy and willingness to work with us all is acknowledged and appreciated. A special thank you is extended to Diane Hankins, Principal, Sommerville School. Without Diane's dedication to the whole concept of Click special ed the project would have long ago disintegrated. Diane was pivotal to the establishment and on-going existence of Click – thank you Diane, your dedicated support is greatly appreciated.

SEPAAnz Conferences for the future:

It was agreed at the executive meeting that SEPAAnz hold a **Principal's Moot annually**, that the Annual Meeting take place at this, that the ASB's annual sponsorship of \$4000 to SEPAAnz be used to support this moot and that, if we accept Click Special Ed Trust funding offer, that this be used to support a speaker at the Moot and that the current cycle of conferences be disbanded and that, notwithstanding this, that the linkage with ASEPA conferences will be maintained.

The executive have set the 23rd, 24th, 25th November as the dates for the 2016 SEPAAnz MOOT.

THE VENUE is the Grand Chancellor – James Cook Hotel in Wellington

It is proposed that the executive will conduct its meeting at approximately 1pm on the 23rd November in preparation for the SEPAAnz Annual Meeting on the following day. By holding the event in Wellington we hope to involve important sector representatives and hopefully the Minister. Should you have suggestions for speakers – of relevance to our work – kindly contact your executive member/s. **Suggested agenda SEPAAnz Moot** is as follows:

Thursday 24 November:

9am till 5.00pm (Conference room)

Morning Tea/Standing Lunch/Afternoon Tea provided.

Annual Meeting in the morning. Followed by focus speakers in the afternoon.

Buffet dinner in the Hotel (included in registration).

Friday 25th November:

9.00am till 5.00pm focus topics/quest speaker/s

Morning Tea/Standing Lunch.

We hope that everyone will diarise this Moot as it is very important for us to meet together as a sector group and to share information.

Wishing everyone a successful year ahead.

Kind regards to All.

Judith

EDUCATION

Announcement is Positive News for Students and Their Families



Wednesday 27 July 2016, 3:53PM

By RedPR

989 views

Halswell Residential College Credit: Halswell Residential College



Chair of the Board of Trustees, Lois Chick Credit: Halswell Residential College

CHRISTCHURCH

The decision for Christchurch's Halswell Residential College (HRC) to become a co-educational campus is being welcomed by staff, students and families.

The Minister of Education Hon. Hekia Parata has today confirmed that HRC will become fully co-educational, a status they first applied for in 2012.

Chair of the Board of Trustees Lois Chick says she is very pleased they will no longer have to turn a student away because she is female.

"Since January 2014, we have been able to enrol up to five girls at Halswell Residential College however we were still officially a "single sex boys school", which disadvantaged female students", says Mrs Chick, adding that the College has been forced to deny enrolments for girls who with their families requested a place at HRC.

"Now the classrooms and campus will better reflect how life really is, with both males and females being a part of the school community," she says. "It adds an important dimension to the work we do with our students, a number of whom transition to mainstream co-ed schools and beyond that, will live and work in communities made up of both men and women."

"A 2014 ERO review and two assessments by Standards and Monitoring Services, New Zealand (SAMS) in 2013 and 2016 were extremely positive about the College and its educational programmes, and considered the College was well placed to become co-educational.

Lois Chick says HRC students are happy and do very well, something reflected in their achievements and the support the College receives from parents, staff and the wider community.

"All of our students are supported with individualised programmes and work alongside highly-trained staff in a stable and nurturing environment. Now that environment will be co-ed and we couldn't be happier for our students, family and staff," she says.

ENDS

www.halswellcollege.com

Additional information:

In May 2013, the Minister of Education, Hon. Hekia Parata, gazetted that:

Notice of Limit of Number of Female Students That May be Enrolled at Halswell Residential College (552)

Pursuant to section 146A(3)(a) of the Education Act 1989, I hereby declare that Halswell Residential College, which is a single sex boys' school, will be able to enrol up to five female students. The number of girls enrolled will

not exceed 40 percent of the actual number of boys enrolled at the school at any time. This will take effect from January 2014.

Our first five girls arrived in 2014. We have had to turn away female applicants, due to limitations of the quota.

In 2012, and 2014 HRC applied to become co-educational. The Minister deferred a decision.

In 2015, HRC once again applied to become co-educational. This application has now been approved (July 2016).

More about Halswell Residential College

HRC provides round-the-clock, live-in, special education for children and young people with complex needs requiring extra support and specialist resources. More information is available at www.halswellcollege.com

More about Standards and Monitoring Services, New Zealand (SAMS)

While primarily working under contract to the Ministry of Health and Ministry of Social Development, SAMS undertakes evaluation projects directly with a wide range of Non-Government and Government organisations.

More information is available at www.sams.org.nz

24 November 2016

IM60/116/52/3

**Education Report: Minimising physical restraint and
stopping seclusion in New Zealand
Schools**

Recommendations

We recommend that you:

- a. **note** the Secretary for Education wrote to all schools stating her expectation that they should cease the practice of seclusion;
- b. **note** the guidance and support provided to schools to minimise the use of physical restraint and eliminate seclusion;
- c. **note** the findings from a self reporting survey of schools on their use of seclusion; and
- d. **note** that all schools in New Zealand have confirmed with the Ministry of Education that they are not using seclusion.



Kim Shannon
Deputy Secretary
Sector Enablement and Support

Encl



Hon Hekia Parata
Minister of Education

25/11/16

Education Report: Minimising physical restraint and stopping seclusion in New Zealand Schools

Purpose of report

1. This paper provides information on:
 - the guidance and support to schools to minimise the use of physical restraint and eliminate seclusion
 - the findings from a self reporting survey of schools on their use of seclusion, and the Ministry's actions to support them to eliminate seclusion
 - a summary of the Ministry's understanding on the current use of seclusion practice.

Background

2. In late December 2014 the Ministry commissioned an independent inquiry into a complaint about the use of seclusion at a special school. The February 2015 report from this inquiry recommended that the Ministry convene a working party to consider the use of seclusion and restraint in schools to investigate best practice models. Since June 2015 the Advisory Group (made up of representatives from the School Trustees Association, Education Unions, principals groups, Ministry of Health, Child Youth and Family - High and Complex Needs Unit, and Ministry of Education behaviour specialists) has worked to develop a guide to eliminate seclusion and minimise the use of physical restraint in New Zealand schools. School visits and evidence from the literature on restraint and seclusion have informed the guide.
3. The guidance provides alternatives to seclusion, and makes it clear the practice of seclusion should no longer be used in our schools. The Advisory Group proposed to progressively reduce the use of exclusion over a three year period.
4. Following the identification of the use of this practice in Miramar Central School, you directed the Ministry to undertake work to end the practice of seclusion in New Zealand schools as soon as possible.

How does the guidance define seclusion?

5. Seclusion is when a child or young person is involuntarily placed in a room from which they cannot freely exit, or believe they cannot exit, at any time and for any duration. The door may be locked, blocked or held shut.
6. Placing a child alone in a room from which they cannot freely exit can be physically and psychologically harmful.

7. Seclusion is not the same as 'time out'. This is where a child or young person voluntarily takes themselves to an agreed space or unlocked room, typically a low sensory place, to de-stimulate or calm down, or when a teacher prompts a disruptive child or young person to work in another space. It is important to make the distinction between 'seclusion' and 'time out' as the terms should not be used interchangeably.

Survey of the use of seclusion in New Zealand schools

8. Following the Advisory Group's clarification on the definition of seclusion and in order to work with schools to cease the practice of seclusion, the Ministry of Education undertook a survey of all 2529 state, state integrated, partnership schools and private schools in New Zealand. On the basis of the guidance definition, the purpose of the survey was to identify what schools were using seclusion practice (as opposed to time out) and to work with those schools to eliminate its use.
9. Stage 1 of the survey involved schools *self identifying* they may have seclusion facilities. Following this, Stage 2 was to work alongside the schools who self identified as potentially using seclusion to visit and identify the use of the facilities, and to discuss current practice. All schools have been surveyed and responded to Stage 1.
10. Out of the 36 schools self identifying as potentially using seclusion, five self reported as not using seclusion in 2016.
11. The Stage 2 process focused on working alongside the 31 schools that had self-reported as using seclusion in 2016.
12. After further discussions and visits with these schools we have concluded:
 - two have not used seclusion in 2016,
 - 12 were considered to have used appropriate time out behaviour management practices that did not constitute seclusion, and
 - 17 were considered to have been using seclusion, and have agreed to stop using seclusion and revise their practice.
13. Given the reliance on self reporting by schools, there remains a risk that some schools have not reported the use of seclusion. This could be for a variety of reasons as in the past the terms time out and seclusion have been used interchangeably. We will continue to work with schools and their communities to reinforce what practices are appropriate.
14. The Education Review Office (ERO) has introduced in its reviews of schools specific questions on how schools manage children/students with behavioural difficulties. ERO has always checked every school's complaints policy and, where there has been a reason, also checks the complaints register and the Board of Trustees' "in committee" minutes. ERO has also updated the Board Assurance Statement for Boards of Trustees to attest that they are developing policies to reflect the Ministry of Education's *Guidance for New Zealand Schools on Behaviour Management to Minimise Physical Restraint*.

15. In conclusion, the Ministry is aware of 17 schools having used seclusion in 2016. Following further work with the schools, all 17 have confirmed that they have ceased the practice, and are now using appropriate behaviour management techniques.
16. The Ministry will respond to any new incidences or concerns on a case by case basis, and is working with a number of schools to support the change of practice including the provision of independent expert advice where required.
17. The names of the 17 schools that have used seclusion practice during 2016 are provided in Appendix 1. This list has been provided to the Education Review Office.

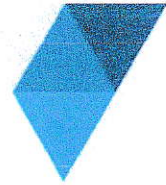
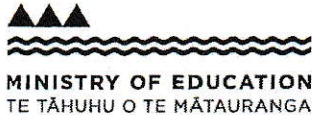
Guidance for New Zealand Schools on Behaviour Management to Minimise Physical Restraint

18. The Secretary for Education wrote to all schools on 3 November 2016, stating her expectation that they should cease the practice of seclusion. Schools were offered support to enable the change of practice immediately, and any assistance around particular children and young people of concern.
19. This was supported by the release of the *Guidance for New Zealand Schools on Behaviour Management to Minimise Physical Restraint* and a PowerPoint presentation for school leaders to introduce the guide to their staff to reinforce the importance of not using seclusion and to minimise the use of physical restraint as part of their approach to managing behaviour.
20. As part of the development of the *Guidance for New Zealand Schools on Behaviour Management to Minimise Physical Restraint*, the Ministry has developed an Understanding Behaviour, Responding Safely workshop. This is being made available for schools with priority given to schools using seclusion or physical restraint.
21. We are also updating our advice and guidance for parents, including questions they should put to schools if they have concerns about their practice, where to seek further advice, and what supports are available from the Ministry.

Appendix 1

Schools that have used seclusion in 2016 but have now ceased the practice

Awatapu College
Bamford School
Banks Avenue School
Elmgrove School
Fairhaven School (Napier)
Halswell Residential College
Highfield School
Karoro School
Levin East School
Linwood North School
Miramar Central
Timaru South School
Waimate Main School
Wainoni School
West End School (Palmerston North)
Westbridge School
Westport South School



08 FEB 2017

Victoria Turnbull

Dear Victoria

Thank you for your two emails to the Ministry of 11 January 2017 in which you seek the following information:

- *Of the 2,529 schools included in the survey of the use of seclusion in NZ schools, did all NZ schools respond?*
- *Was there a 100 per cent response from schools to the survey, or, alternatively, out of the 2,529 schools surveyed, what number of schools responded to the survey?*
- *The number of NZ schools involved in the survey of the use of seclusion in NZ schools.*
- *The number of NZ schools that elected to take part in completing the survey.*
- *Of the NZ schools that elected to take part in completing the survey, how many self identified they may have seclusion facilities, regardless of whether the facility had been used in 2016?*
- *The number of NZ schools that did not respond specifically eg: yes we do/no we do not vs. not identified.*
- *The number of NZ schools that elected to take part in completing the survey that did not self identify as potentially using seclusion eg: yes we may have/no we have not vs. not identifying.*

Your request has been considered under the Official Information Act 1982.

Every one of New Zealand's 2,529 state, state-integrated, partnership schools, and private schools responded to our survey on seclusion use conducted in late 2016. The respondents were asked directly whether or not they operated a room for the purposes of seclusion, and all provided a definitive 'yes'/'no' reply. Of these, 36 schools self-identified that they had seclusion facilities available. With the survey's focus being primarily on seclusion use in 2016, five of the 36 schools noted that they had not used the practice during the current year.

We undertook further discussions with the 31 schools that had self-identified as operating seclusion in 2016, after which we concluded that 14 had not in fact used it during that year. We then worked with the 17 schools that had employed seclusion in 2016, and all subsequently advised us that they had stopped using the practice in favour of more appropriate behaviour management techniques.

If you have any questions about this response, please feel free to contact the Manager of the Ministry's Official and Parliamentary Information Team, Simon Sanders at simon.sanders@education.govt.nz or on 04 439 5005.

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education.govt.nz

Thank you again for your email, and I hope my response has been of use to you.

Yours sincerely



Katrina Casey
Deputy Secretary
Sector Enablement and Support



Education Review Office
Te Tari Arotake Mātauranga

Our Ref: LE – 13-01-02-450

10 October 2016

C J and V A Turnbull

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Dear Callum and Victoria Turnbull,

Please find ERO's response to your questions under the Official Information Act below.

Each answer is preceded by your question

During the 2002, 2006, 2009, and 2016, ERO reviews of Ruru Specialist School had ERO Review Officers reviewing the school, viewed/inspected the seclusion room at Ruru Specialist School? (Plan attached)

ERO's role under the Education Act 1989 is to review the performance of schools in the delivery of the NZ Curriculum. ERO did not view/inspect the "seclusion room" in 2002, 2006 and 2009. I attach a copy of the 2002, 2006, and 2009 ERO reports for your reference. During the April 2016 review, the review team sighted the room you refer to. It is completely refurbished, the door removed and in use as a sensory room for individual students.

During the 2002, 2006, 2009 and 2016, ERO reviews of Ruru Specialist School had ERO Review Officers reviewing the school, reviewed all documentation relating to the seclusion room's usage, systems and procedures? If so, why has ERO never reported specifically to the school community?

ERO did not view/inspect the documentation relating to the "seclusion room" in 2002, 2006 and 2009. There was no reason to do so. ERO had no information that the room was being used for seclusion. As part of the April 2016 review, the review team looked at all documentation in relation to secluding students.

Did ERO question Ruru Specialist School Board of Trustees why they withheld the Investigation Report commissioned by the Ministry of Education 2015 during the 2015 review of the school? If so, what was the Board of Trustees response to this question? If not, why was this question never asked?

This question was addressed by Graham Randell in his email to you of 7 July 2015. At the time of the 2015 ERO review, since set aside, ERO was not aware of the report commissioned by the Ministry of Education. In his letter, Graham invited to you to ask this question of the Board. The Board's response to the 2016 ERO team was that the school had just received the Ministry report and wanted time to consider its contents.

When was ERO first aware that the seclusion room at Ruru Specialist School was in fact a small storeroom?

ERO was not aware of there being a "seclusion room".

How many New Zealand Schools operate a seclusion room? Please provide ratio.

How many Special Needs/Specialist Schools operate a seclusion room? Please provide ratio.

ERO has transferred your questions under bullet points 5 and 6 to the Ministry of Education as the information requested is more closely connected with the functions of the MOE. You will hear further from the MOE concerning your request for this information.

Has ERO ever reported specifically on school's seclusion rooms in ERO Reports?

ERO reviews do not focus specifically on schools' "seclusion rooms" to the best of my knowledge. To be definitive about this would take a substantial amount of time and resources.

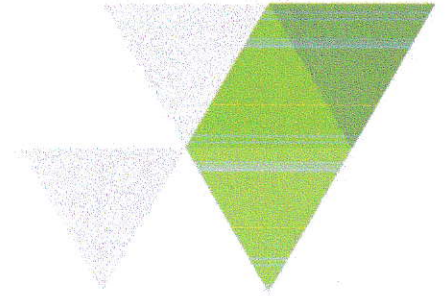
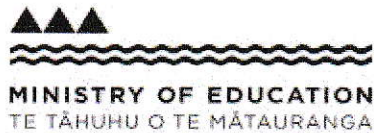
You mention in your letter that 'it is extremely concerning' that the 2016 ERO report makes no mention of the Police investigation. The Police have informed ERO that no investigation was underway at the time of the April 2016 review and, while it has since been reactivated, the investigation is into historic issues.

In conclusion, I note that the Ministry of Education is soon to release national guidelines on *Guidance for New Zealand Schools on the Minimisation of Physical Restraint and Transitional Guidance as we work towards the Elimination of Seclusion in New Zealand Schools*.

Yours sincerely



Jeremy France
Deputy Chief Executive Corporate Services
Education Review Office | Te Tari Arotake Mātauranga
jeremy.france@ero.govt.nz



14 December 2018

Principal and Board Chair
Westbridge Residential School
PO Box 79 056
Royal Heights
Auckland 1230

Dear David and David

2019 Resourcing Notice for Westbridge Residential School

Westbridge Residential School (the school) is established under Section 98 of the Education Act 1964 as a residential special school (RSS). The school has core day school and residential functions. This notice records the school's resourcing for the 2019 school year. It also outlines:

- the basis of the resourcing received
- sets the purposes for which it can be used
- explains the payment cycle and processes; and
- outlines the criteria for enrolment of students.

The school's annual planning and reporting will be the basis for addressing the accountabilities relating to this resourcing. The Ministry will work with the school in 2019 to develop and trial a reporting framework so that outcomes are recorded at the student and school level.

This notice includes three sections which describe the school's areas of service and related resourcing entitlements:

Section 1 of this notice outlines resourcing for the day school including staffing entitlements and operational funding, additional funding and Learning Support resourcing.

Section 2 of this notice outlines resourcing for residential services including the purpose, expected outcomes of this funding, the obligations and enrolment criteria for students that may attend the school.

Section 3 of this notice outlines resourcing for support for transition into and out of Westbridge Residential School.

Schedule 1 provides a summary of the school's 2019 resourcing covered by this notice. As for other schools this resourcing is subject to Ministry of Education audit.

This notice should be read in conjunction with the school's 2019 staffing and operations grant entitlement notices. All funding figures are GST inclusive.

Yours sincerely

David Wales
National Director Learning Support

Once a RSS only pathway placement has been offered, a parent/caregiver and student may wish to travel to a residential special school to visit the school prior to enrolment. This may be agreed to and funded by Westbridge Residential School.

Obligations of the Board of the school

The school will at all times comply with the Education (Hostels) Regulations 2005¹.

Westbridge Residential School is to:

- a) deliver these services in an integrated manner between the day and residential schools focussing on best practice, innovation, consistency, equity and accessibility;
- b) continue to develop expertise and innovation in the provision of residential educational services to advance the quality of care being provided to students and ensure their safety;
- c) provide a challenging environment that promotes individual learning, development and independence through the integration of educational and residential programmes;
- d) achieve positive learning outcomes for individual students consistent with the student's Individual Learning Plan;
- e) work in a way that achieves effective working relationships with others who provide services and support for the students;
- f) provide and/or organise transport for residents to/from caregivers at least once each term;
- g) ensure that the parent (or legal guardian) has agreed to the enrolment and a section nine agreement has been signed by both the parent (or legal guardian) and the National Director Learning Support;
- h) ensure effective liaison between the school and family, caregiver or whānau;
- i) ensure students maintain contact with family, caregiver, or whānau and other age appropriate social networks;
- j) report risk and mitigations to the Ministry of Education six monthly which will include immediate reporting on absconding (and other incidents that place students at risk), suspensions, stand downs; and
- k) as per the Education (Physical Restraint) Rules 2017 ensure every incident of physical restraint used in the school is reported to the Ministry of Education and every staff member who uses physical restraint must complete a staff physical restraint incident report. The employer must place a copy of the form in the student's file and provide a copy to the student's teacher/s, parent/s and/or caregiver/s. The Ministry of Education would also like the school to report the use of restraint in the residential setting. This enables the Ministry to monitor the prevalence of physical restraint and provide appropriate support to schools and students.

Residential Special School Enrolment Criteria

Students residing anywhere in New Zealand can be enrolled at Westbridge Residential School if a current section nine agreement is in place. For IWS and the RSS only pathway access criteria apply and the application process ensures:

- a) the young person has been assessed by an IWS psychologist (IWS pathway) or a learning support provider (RSS only pathway) in the home region and their individualised plan (IWS pathway) and/or application form (RSS only pathway) has identified that a residential programme would be of benefit to them; and
- b) they are in years 3-10 of schooling at the time of enrolment; and

¹ Refer www.minedu.govt.nz/goto/hostels

Physical restraint in Residential Specialist Schools

New Zealand has three Residential specialist schools (RSS) that are live-in schools for students who are considered to have educational needs relating to socialisation, behaviour, and learning.

IHC has concerns about the safety, wellbeing and educational outcomes of the students with social, behaviour and/or learning needs who are sent to live at these schools. These schools are more likely to have intellectually disabled students enrolled. We looked at the information about these schools and decided to write this paper outlining the issues that urgently need addressing.

Key findings

- In the years 2017 – 2021 physical restraint was between 3000 - 6000 times more likely to occur at RSS compared to a mainstream school¹
- This physical restraint occurs despite the high teacher and specialist support resources available at these schools (student teacher ratio of 1.66 students per teacher compared to mainstream schools with a 11.5 student to teacher ratio)
- The schools have declined support from the Ministry of Education to reduce the use of physical restraint as they feel that this level of physical restraint is justified²
- The Ministry of Education has also reviewed the physical restraint incidents at these schools and found that physical restraint is often used for behaviour management and not for reasons of safety³
- The Ministry of Education does not monitor or report on student wellbeing or learning at RSS
- Families tell IHC that their decision to send children to RSS away from whānau is based on the lack of support provided by education, health and social development systems in the local community. IHC believes that removal of disabled children and young people from their whānau for periods of time (particularly ākonga Māori⁴) causes harm to their wellbeing.
- Some leaders of RSS have communicated ableist and troubling attitudes in the media about disabled students.

The Ministry of Education is currently investigating whether to make it easier for young people to be enrolled in RSS. Without implementing the recommendations IHC is making we do not think it is safe to increase the numbers of students enrolled in RSS.

Recommendations

- That compulsory holistic standards of care for students at RSS are legislated in the Education and Training Act. These care standards could be similar to the Oranga

¹ See appendix A at page 7.

² OIA response at page 10 of this document.

³ OIA response at page 11 of this document.

⁴ International Literature Review on Residential Specialist Schools for Learning and Behaviour

Tamariki National Care Standards to apply to students away from home enrolled in RSS. We appreciate the different legislative contexts that apply to children in the Oranga Tamariki system who live in out of home care, however the reality for the disabled children and young people in RSS is that they are essentially in residential home care with no standards or monitoring in place.

- These care standards require external monitoring of how RSS use physical restraint and why, as well as on the academic outcomes and ongoing wellbeing of RSS students.
- All schools, in particular specialist schools, develop action plans to end physical restraint at school.

Residential specialist schools do not serve an education purpose

Many families use RSS because the local schools have excluded or removed their child, frequently due to a lack of supports available in the local school. Parents are often placed in a difficult position – stop working outside the home and home school their child or send their child to a RSS. Some have called RSS a circuit breaker for disabled students and family, providing respite and a reset for the student and their whanau.⁵

In reality, there is very little evidence that RSS settings are beneficial to students. An international literature review commissioned by the Ministry of Education found that the evidence for benefits of RSS is very thin, quoting other studies saying:

*“there is “little research or evaluation of the education or care” provided by RSS, raising concerns that “decisions and judgements are being made about what is best for disabled children with very little evidence on which to base them”.*⁶

There are better ways to provide to respite to families, which do not involve children being separated from their families. There are also questions to be answered about whether school is the appropriate place for non-academic support and reset. These services should be provided to disabled students in their own communities and outside of school hours. Families of disabled children have lobbied for decades for an across government response to their child and whanau circumstances in their own community and now is the time to take this seriously.

The implementation of EGL principals is a positive step in the right direction however, the current education policies are a retrograde step and the continued support of RSS flies in the face of the government's positive progress in embedding EGL principles and greater alignment with international and national human rights laws and conventions.

It is also difficult to understand the reasoning in enrolling a disabled student in a RSS due to behavioural or socialisation issues. This enrolment removes them from the settings that may have contributed to the behavioural or social concerns without addressing those environmental factors.

⁵ Ministry of Education ‘Education Report: Improving access to Residential Specialist Schools’, 1/12/2021. Page 4. Available at <https://assets.education.govt.nz/public/Documents/our-work/information-releases/Advice-Seen-by-our-Ministers/November-2021/3-ER-1276987.pdf>

⁶ International Literature Review on Residential Specialist Schools for Learning and Behaviour Prepared for the Ministry of Education, New Zealand. Page 33. Available at <https://assets.education.govt.nz/public/Documents/our-work/information-releases/responses-to-Official-Information-Act-requests/1284544-Appendix-A.pdf>

Physical restraint is between 3000-6000 times more likely to occur in a residential specialist school

One of the functions of RSS is to provide specialist support to students who are considered to have educational needs relating to behaviour. Some people may feel that high levels of physical restraint at a school that provides extra support for students with behavioural needs is not unusual and isn't necessarily a cause for alarm.

There is no evidence that physical restraint is an effective way to reduce behavioural issues.⁷ The use of physical restraint also reduces the mana of all people involved, with negative feelings and emotions being experienced by the person being physically restrained as well as the person doing the physical restraint.⁸ There is also strong evidence that disabled students are more likely to be victims of abuse than other students and more can be read about this on page 4.

New Health and Disability Services standards for disability service providers commits providers to working towards a physical restraint free environment. If this is what we expect of services that work with disabled adults, we should not expect less for schools that work with disabled children. All schools in New Zealand should be committing to working towards a physical restraint free environment, particularly the schools that use physical restraint the most.

The Ministry of Education does not collect data on the wellbeing or learning outcomes of students at RSS. One of the only outcomes the Ministry monitors is reports on the incidences of physical restraint. IHC has been concerned about the use of physical restraint against disabled students for a long time. We knew anecdotally that disabled students were most likely to be restrained, and to be restrained for behaviour that was related to their disability. Disabled students are unlikely to be able to control these behaviours very well, but teachers and school staff consider this disruptive and problematic.

Both IHC and Newsroom have recently obtained figures on physical restraint under the Official Information Act. The picture this data paints about physical restraint in RSS schools should alarm any parent of a disabled student. According to the figures that Newsroom obtained in their OIA, in 2019, the 28 students at Halswell and Westbridge were restrained on average 20 times each. This is with incredibly high staff to student ratios – on average 1.66 students to every teacher (Table 1).⁹ For comparison, mainstream schools have on average 11.5 students per teacher.¹⁰

Table 1 – Physical restraint incidents at Westbridge/Halswell residential schools

Year	Physical restraint incidents	Number of students	Staff (FTE)	Student – teacher ratio
2018	503	27	15.2	1.78

⁷ Heyvaert, Mieke & Saenen, Lore & Maes, Bea & Onghena, Patrick. (2014). Systematic Review of Restraint Interventions for Challenging Behaviour Among Persons with Intellectual Disabilities: Focus on Effectiveness in Single-Case Experiments. Journal of applied research in intellectual disabilities : JARID. 27, 493–590. 10.1111/jar.12094.

⁸ Ibid.

⁹ These figures differ from Ministry data provided in an earlier OIA request we made. This is because Westbridge Residential School in Auckland and Halswell Residential College in Christchurch had been significantly underreporting their restraint figures to the Ministry of Education – they had not been reporting restraints that happened outside of normal school hours.

¹⁰ Taken from <https://www.educationcounts.govt.nz/statistics/teacher-numbers> and includes day relief teachers. We understand that this ratio does not represent how teachers experience resourcing in the classroom and use it here to show the discrepancy between resourcing for RSS and mainstream schools only.

Year	Physical restraint incidents	Number of students	Staff (FTE)	Student – teacher ratio
2019	568	28	15.4	1.82
2020	145	24	17.5	1.37

Sources: Physical restraint incidents¹¹; student numbers¹²; staff numbers¹³.

IHC made another OIA after the Newsroom story broke.

When we compared the number of physical restraints at mainstream schools, specialist schools and residential specialist schools with the average populations of these schools¹⁴ we found that incidents of physical restraints in the years 2017-2021 were **between 18-43** times more likely to occur at a specialist school compared to a mainstream school, but incidents of physical restraint are **between 3000-6000** times more likely to occur at a residential specialist school than a mainstream school. RSS advertise themselves as places where students can get specialist support from highly trained professionals to help students thrive, but this support does not appear to equate to less physical restraint.

It is remarkable that mainstream schools are able to deal with many students with extremely varied backgrounds with far less resources than RSS and with far less use of physical restraint. One such school, the Henry Hill School in Napier, which won the Prime Minister's Excellence in Education Wellbeing Award, focuses on folding family and whānau into the school to work towards increasing wellbeing and healing from trauma. This is the model that we should be emulating in New Zealand, not moving students away from whānau to unmonitored institutions with extremely high physical restraint rates and little interest in lowering these rates.

Residential Specialist Schools breach the UN Convention on the Rights of Disabled Persons (UNCRPD)

The UNCRPD is an international convention written by disabled people in 2006. The UNCRPD sees disabled people as equal members in society who possess their own human rights not as people who are the subjects of pity and charity.

New Zealand has signed this convention and is required to implement it.

The UNCRPD article 24 deals with the rights that disabled students hold regarding their education. This article is very strong in its emphasis on disabled students attending the same schools as other students in their community. One of the biggest objections to RSS is how disabled people themselves feel about segregated school settings. A quote from an intellectually disabled Māori woman who attended Salisbury tells some of this story:

"I hated the food at Salisbury because it was different from what I was used to. I had to stay at the table for hours until someone said I could leave the table. I slept in a big room with about thirty other girls...we were not allowed to go home in the holidays. Some of the staff were not good to us and they smacked us with a ruler and that hurt. They used to tell us off. If we didn't do what they said that would sometimes lock us up in a "jail". It

¹¹ IHC OIA at page 8.

¹² At page 14 and 15.

¹³ At page 12 and 13.

¹⁴ <https://www.educationcounts.govt.nz/statistics/6028>

was horrible the girls did not like it. I was really happy to leave Salisbury when I was 16 years old”¹⁵

Historically segregated settings for disabled people have led to higher levels of abuse for disabled people. There is a lot of research that demonstrates this, for example the work of the Australian Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.¹⁶

Leaders of Residential Specialist Schools view their students as problems

The Ministry of Education has evaluated incident reports from RSS and found that these incidents were generally more about behaviour management rather than safety.

The high levels of physical restraint in RSS appear to be made worse by ableist attitudes among leaders of these schools. The chair of the combined boards of Halswell and Westbridge has stated, in response to their extremely high levels of physical restraint:

“As yet, I haven't heard anyone come up with a response to a student, and it can be a male or a female student, who might be a big bully who is, let's say, 100 kilos, who loses it ... we have difficult kids at our schools, very difficult kids.”¹⁷

Disabled children are not difficult. Disabled children are not bullies. While some disabled students might have disruptive or potential harmful behaviours, these are often driven by conditions they have little control over and traumatic experiences they have endured. The above labelling is not only unhelpful but ableist, and harmful for children.

Recent research¹⁸ summarising the experiences of 16 million disabled children and young people worldwide found:

- About a third (31.7%) of disabled children are survivors of violence.
- Disabled children are twice as likely to experience violence than their non-disabled peers.
- Children with emotional disorders and cognitive impairments are victimised more often than those with other forms of disability, across all types of violence and perpetrator, except for sexual violence and peer bullying.
- Nearly 40% of disabled children were bullied by peers and had higher odds of being bullied than nondisabled children.

Disabled children with behavioural difficulties need support and understanding. It is not likely that they can control the behaviour they are demonstrating. They do not need increased physical restraint to manage their behaviour. Physical restraint is not likely to help these problems, but instead make them worse.

¹⁵ Inclusion International's Global Report on Article 19: The Right to Live and be Included in the Community - October 2012

¹⁶ <https://disability.royalcommission.gov.au/system/files/2022-03/Overview%20of%20responses%20to%20the%20Education%20and%20learning%20Issues%20paper.pdf>

¹⁷ <https://www.newsroom.co.nz/specialist-schools-underreported-use-of-restraint>

¹⁸ Zuyi Fang, Ilan Cerna-Turoff, Cheng Zhang, Mengyao Lu, Jamie M Lachman, Jane Barlow, 'Global estimates of violence against children with disabilities: an updated systematic review and meta-analysis' *The Lancet Child & Adolescent Health*, Volume 6, Issue 5, 2022, Pages 313-323.

More oversight of Residential Specialist Schools is urgently needed

IHC wants Monitoring Standards developed and put in place in residential specialist schools similar to Oranga Tamariki National Care Standards to These Care Standards have six parts and take a holistic approach to supporting children and young people who are not in the care of their whanau. It includes external monitoring of how the Care Standards are being adhered too.

At present, the only legislation covering the boarding part of a residential specialist school is the Education (Hostels) Regulations 2005. These Regulations are very perfunctory and do not discuss the wellbeing of the students or ensuring that they have a voice in their education or maintaining connections to their whānau.

IHC wants more oversight on the wellbeing and academic development of disabled students in all schools but in particular specialist schools and specialist residential schools. We do not think that the level of restraint currently experienced by disabled students can be justified.

IHC wants all schools, and in particular specialist schools, to develop action plans to end physical restraint at school.

Last thoughts

These schools are meant to be providing to best support available to students who need support. However, the level of physical restraint is huge and IHC fails to see how this could be the best support.

We are currently undertaking a Royal Commission about the tragedy of removing children from their families and placing them into the care of the state when there was something considered deviant about them at that time. Looking back now, it is easy to see that the state did not provide the best care for their children: there was little oversight and monitoring of the children and wildly outdated racist, sexist and ableist notions were held by people in charge at these institutions. Abuse flourished in those schools.

We do not want to look back in another 20 years at residential special schools and see that disabled students were restrained, ignored and segregated from their families, peers and communities in 2022 and nothing was done to for our disabled children and young people. The evidence is clearly telling us these schools are a problem. The government needs to solve it now.

Appendix A – relative rate of restraint compared to mainstream schools

Year	Halswell	Westbridge	RSS combined	Specialist schools excl. RSS
2017	5666.6	3734.8	4700.7	24.6
2018	8511.3	2908.9	6021.3	25.3
2019	7420.6	6448.1	6969.0	18.5
2020	3738.5	2642.8	3145.0	42.8
2021	4756.5	1585.5	3397.5	33.9
Average 2018-2021	7250.0	4046.2	5734.2	28.4

7 June 2022

Shara Turner
Advocate
IHC New Zealand Incorporated
[REDACTED]

Tēnā koe Shara

Thank you for your email of 2 May 2022 to the Ministry of Education requesting the following information:

- *Would I be able to have the incidents of restraint broken out by year as you supplied last time? I have attached both responses for comparison.*

Your request has been considered under the Official Information Act 1982 (the Act).

The following tables cover the data range from 1 August 2017 to the 15 February 2022, with relevant caveats noted for each table. I am refusing the data prior to this date under section 18(e) of the Act, as reporting requirements were only implemented in August 2017, therefore the document alleged to contain the information requested prior to that period does not exist.

Please note that the total number of Specialist Schools is made up of 33 Specialist Schools plus the three Residential Specialist Schools, so the totals will not match the second table provided.

- 1. Total number of physical restraint incidents reported since reporting began in August 2017 to 15 February 2022 in mainstream schools, broken down by year (so, if a student has more than one physical restraint on the same day, we count all of them and include all in the total).**

Year	Mainstream	Specialist School	Grand Total
01/08/2017 – 31/12/2017	952	245	1197
2018	2490	786	3276
2019	2366	770	3136
2020	1580	462	2042
2021	1564	347	1911
01/01/2022 – 15/02/2022	51	10	61
Grand Total	9003	2620	11623

Caveats:

- Data is live and subject to change.
- Data range is between '01-08-2017' and '15-02-2022'

2. Total number of physical restraint incidents reported since reporting began in August 2017 to August 2021, broken down by year in the following three schools
- Westbridge Residential School
 - Halswell Residential College
 - Salisbury School

Year	Halswell Residential College	Westbridge Residential School	Salisbury School	Grand Total
01/08/2017 – 31/12/2017	88	58	0	146
2018	395	108	0	503
2019	324	244	0	568
2020	79	66	0	145
2021	72	18	0	90
01/01/2022 – 15/02/2022	0	0	0	0
Grand Total	958	494	0	1452

Caveats

- Data in this table is a subset of the previous tables
- Data is live and subject to change.
- Data range is between '01-08-2017' and '15-02-2022'

Thank you again for your email. You have the right to ask an Ombudsman to review this decision. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Nāku noa, nā



Dr David Wales
Poutohu Matua | National Director Learning Support Delivery
Te Pae Aronui

35 The RSS funding model was developed in consultation with the schools throughout 2018-2020 to ensure the schools are adequately funded for their residential services, based on the actual costs of running a residential villa.

36 9(2)(f)(iv)
[REDACTED]

37 9(2)(f)(iv)
[REDACTED]

38 New ways of working across the specialist schooling network will be discussed at the meeting on 14 May.

9(2)(ba)(i)
[REDACTED]

39 9(2)(ba)(i)
[REDACTED]

40 9(2)(ba)(i)
[REDACTED]

Concerns about restraint

41 The Ministry has asked the combined Board to take steps to reduce the use of physical restraint at both Halswell and Westbridge, as their incident reports show these schools are the highest users of restraint in New Zealand. The majority of restraint incidents occur in the residences, involving residential staff members.

42 The Ministry has offered to support the schools to reduce the use of restraint. The Board has indicated that it believes the current levels of restraint are justified and that it will not be taking any direct action on this.

43 The Ministry is currently working to update the Physical Restraint Guidelines. This work is expected to provide the RSS with greater motivation to reduce the number of times ākonga are restrained. We will continue to take steps to ensure the Board addresses safety risks and reduces restraint as a high priority.

9. Outcome data for TKT IWS shows positive change occurs for young people supported through this service. We have limited information on outcomes for the RSS only pathway. An evaluation of the RSS only pathway was commissioned in 2019. A literature review has been completed. Phase 2 of the evaluation will undertake case studies of ākonga who have attended RSS to understand their experiences and the impact of the intervention. This evaluation is due in August 2022.
10. The Ministry is concerned about the high levels of restraint of ākonga reported by two of the RSS. Review of incident reports from RSS shows that restraints are often used for behaviour management and not for reasons of safety. Use of restraint can be harmful especially for young people who may have experienced trauma. It is a priority for the Ministry to resolve this issue. It should be considered alongside consideration of increasing enrolments.

Funding

11. RSS provide 24-hour, 7 day a week care. Ākonga attend day school on site and then remain on site in the residential setting. RSS receive operational grants and staffing entitlements for their day school, as for any other state school. They are staffed on a ratio of 1: 5 teachers to ākonga. They are also funded for a residential component for the additional costs associated with the 24-hour, 7 day support they deliver.
12. Funding for the RSS is based on a notional roll which provides guaranteed minimum funding for the schools. The RSS are currently funded for both residential and education services using a notional roll of 84 across the three schools. Residential funding for the three schools is currently \$7.74 million per annum.

Changes have been made to enrolment pathways

13. Prior to the implementation of the Intensive Wraparound Service (IWS), the Boards of the RSS made decisions based on entry criteria for their schools. Boards proactively went into the community to encourage enrolment and select which students they would take. While they were national schools, there was no process to ensure that this intensive support was available to ākonga with the highest needs.
14. The IWS, now known as Te Kahu Tōi Intensive Wraparound Service (TKT IWS), was set up in 2011. TKT IWS makes intensive supports available in the child or young person's community. Time at a RSS is a choice as part of the programme for ākonga supported by TKT IWS.
15. Applications for enrolment at a RSS with the support of IWS are considered against a set of clear criteria (Annex 1). Following the introduction of IWS the number of enrolments to the RSS has declined.

HALSWELL RESIDENTIAL COLLEGE
Official Information Act Request

	Students enrolled 1st July	All Staff Employed on 1st July calculated as 1FTE= 40 hour working week	Cost of Teaching staff employed on 1st July calculated in FTE	Cost of all Staffing (excluding teachers) from 1st January to December 31st	MOE FUNDING Operations Grant Notice (estimated entitlement)	MOE FUNDING Residential Grant Notice (estimated entitlement)
2021	8	40.2	8.8 \$	2,369,823.00	\$ 411,214.44	\$ 2,802,784.34
2020	11	37.3	7.8 \$	2,437,467.71	\$ 396,498.74	\$ 2,636,599.11
2019	15	46.2	7.8 \$	2,413,480.38	\$ 397,870.87	\$ 2,154,391.30
2018	15	42.5	7.8 \$	2,253,385.17	\$ 389,534.63	\$ 2,120,463.47
2017	13	47.1	7.9 \$	2,163,755.74	\$ 388,386.72	\$ 2,429,052.16
2016	14	51.2	7.8 \$	2,427,122.20	\$ 393,716.68	\$ 2,429,052.16
2015	23	37.2	7.8 \$	2,544,536.26	\$ 389,489.06	\$ 1,938,150.43
2014	22	64.6	13.4 \$	2,237,337.67	\$ 379,903.88	\$ 2,037,321.72
2013	16	information unavailable	information unavailable	\$ 3,984,227.41	\$ 456,436.14	\$ 2,739,130.44
2012	31	77.7	16.3 \$	3,687,264.61	\$ 479,140.12	\$ 4,233,641.72
2011	37	information unavailable	information unavailable	information unavailable	\$ 448,301.98	\$ 4,113,526.95

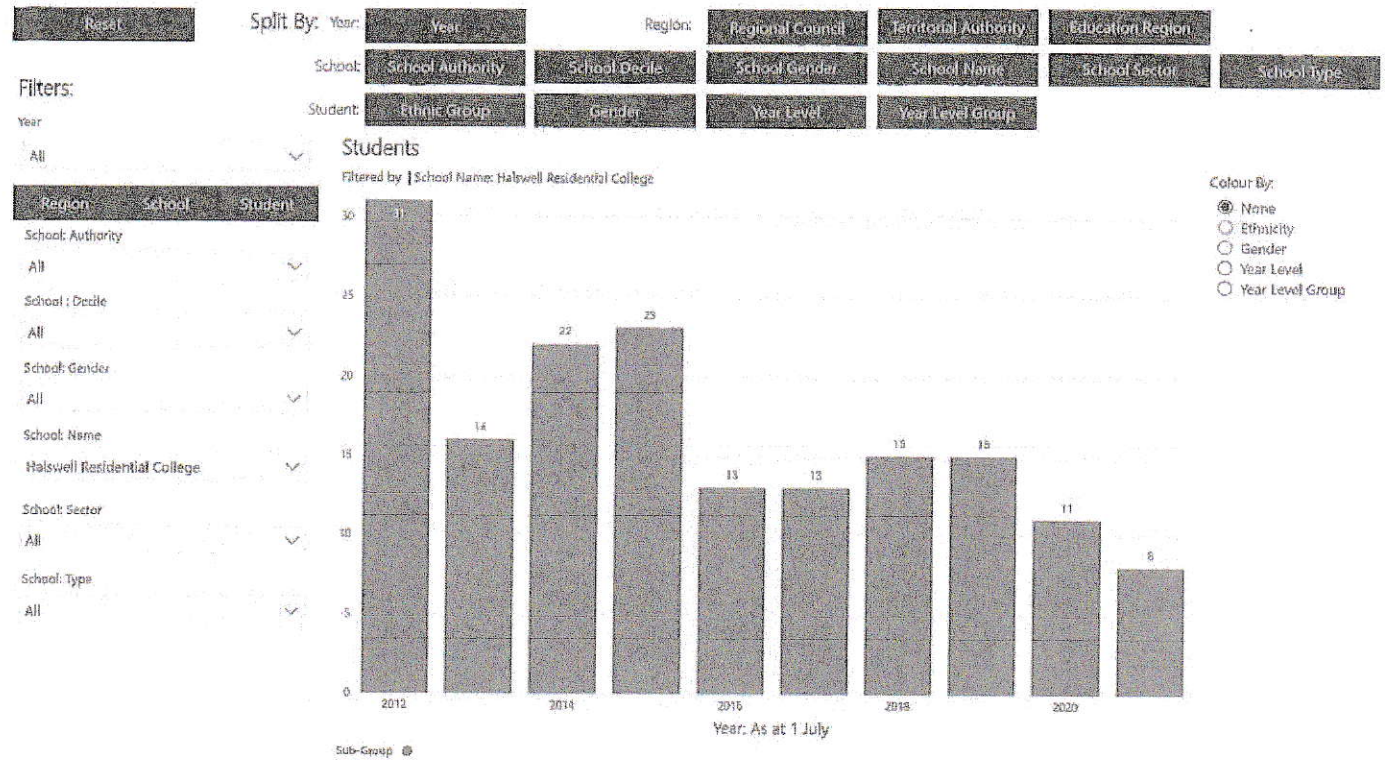
Note: 2021 is a projected estimate of staffing costs (excluding teachers)

WESTBRIDGE RESIDENTIAL SCHOOL
Official Information Act Request

	Students enrolled 1st July	All Staff Employed on 1st July calculated as 1FTE= 40 hour working week	Cost of Teaching staff employed on 1st July calculated in FTE	Cost of all Staffing (excluding teachers) from 1st January to December 31st	MOE FUNDING Operations Grant Notice (estimated entitlement)	MOE FUNDING Residential Grant Notice (estimated entitlement)
2021	3	46.95	9.7 \$	2,570,732.44 \$	258,857.81 \$	2,802,784.34
2020	13	48	9.7 \$	2,570,105.43 \$	244,117.85 \$	2,636,599.11
2019	13	47.24	7.6 \$	2,381,298.23 \$	235,697.24 \$	2,154,391.30
2018	12	44.78	7.4 \$	2,107,468.97 \$	230,824.61 \$	2,120,463.47
2017	13	46.16	6.6 \$	2,065,250.35 \$	232,367.40 \$	1,171,633.06
2016	16	51.57	9.8 \$	2,114,672.64 \$	250,441.85 \$	1,191,846.09
2015	20	48.33	11.7 \$	1,644,620.95 \$	247,658.57 \$	2,037,915.75
2014	34	56.73	13 \$	1,877,369.18 \$	242,848.40 \$	1,860,782.60
2013	28	39.93	12.2	information unavailable	information unavailable	information unavailable
2012	26	information unavailable	information unavailable	information unavailable	information unavailable	information unavailable

Note: 2021 is a projected estimate of staffing costs (excluding teachers)

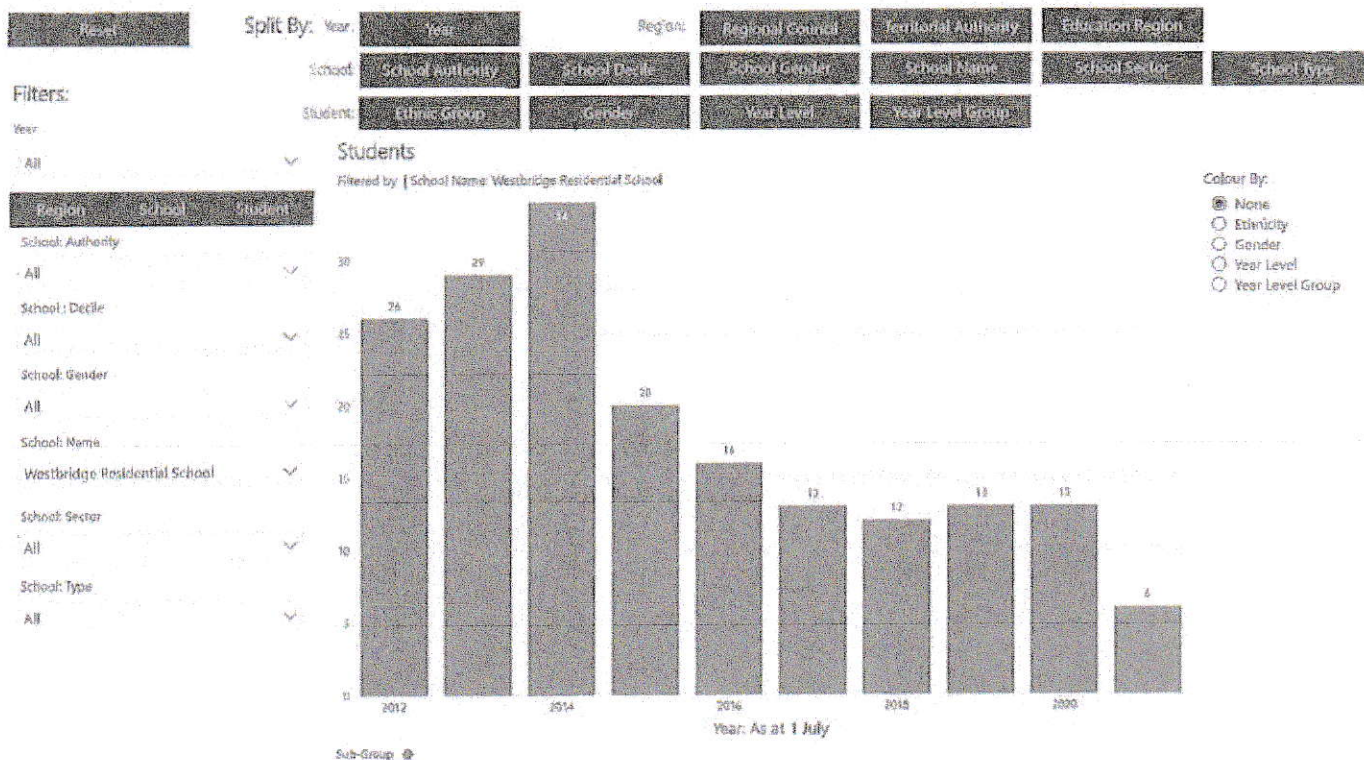
Appendix G school roll Halswell



Microsoft Power BI



Appendix H school roll Westbridge



Microsoft Power BI



EDUCATION, GOVERNMENT, NEWS, NEWSROOM PRO, SOCIAL ISSUES

Specialist schools under-reported use of restraint



by Sam Sachdeva

08/09/2021



Two residential specialist schools claimed they got permission from the Ministry of Education to stop reporting the use of physical restraint on their students outside of the classroom. File photo: Lynn Grieveson

A 'misunderstanding' between the Ministry of Education and two specialist schools led to a breach of legal requirements for reporting the use of physical restraint on students

Two schools responsible for almost a fifth of all uses of physical restraint in the education system suddenly stopped reporting all restraints to the Government – a legal breach only identified following inquiries from Newsroom.

However, the schools have pointed the finger at the Ministry of Education, saying it endorsed an “apples for apples” approach in the data they were providing.

The use of physical restraints on children in state facilities has been in the spotlight [after a Newsroom investigation into alleged assaults on children at Oranga Tamariki's care and protection residences](#).

Since 2017, schools have been required to report how many times they have had to physically restrain children.

Westbridge Residential School in Auckland and Halswell Residential College in Christchurch, residential specialist schools which house and educate children with complex social, behavioural and learning needs, are among the highest users of physical restraints.

According to information provided to Newsroom under the Official Information Act, the schools used restraints 503 times in 2018, 568 times in 2019, 125 times in 2020, and 18 times in 2021 as of July 30.

(A third residential specialist school included in the initial information request, Salisbury School in Nelson, confirmed separately to Newsroom it has prohibited physical restraints since 2011, meaning it can be excluded from the data.)

There were 47 restraint-related injuries to students or staff recorded in 2018, either as a result of the restraint or the incident which led up to it, compared with 17 in 2019 and five in 2020.

Reporting change behind restraints drop

In 2018, the two schools alone were responsible for almost one in every five cases of physical restraint across the entire New Zealand education system.

While the recent decline in restraint notifications might seem significant at face value, the ministry said that drop-off was “partly” due to a change in the way two of the schools were reporting physical restraints.

“These schools have been reporting restraints occurring ‘in-school’ only, whereas their historical reporting included notifications of restraints in residences as well.”

But as the board of a residential school was responsible for the residence, it was legally required to report all restraints that took place there and not just at the school.

The ministry said the schools had been asked to retrospectively complete and provide restraint notification forms for incidents that occurred outside of school hours.

Halswell and Westbridge train their staff in physical restraints through an international programme called Safe Crisis Management, which differs from others in allowing the use of restraints while a person is lying on the floor.

So-called floor restraints are not taught by a number of other programmes, due to the extra risk of injury or death.

Dave Turnbull, the chair of the combined board of trustees for the Halswell and Westbridge schools, told Newsroom the board had discussed changing the way it reported restraints at a meeting in September last year, which had been attended by two ministry officials.

Turnbull said one of the officials agreed with the board’s assertion that to “be comparing apples with apples”, it would be reasonable to only report restraints that occurred within normal school hours.

“We believed we were fulfilling our legal obligations, because we believed a senior manager at the Ministry of Education would not have put us wrong if I was trying to fudge things and pull a fast one.”

Restraints both at school and in the residences continued to be shared with the board, but only those in school were being passed on to the ministry for national reporting.

“We believed we were fulfilling our legal obligations, because we believed a senior manager at the Ministry of Education would not have put us wrong if I was trying to fudge things and pull a fast one.”

The ministry had only flagged its concern with the new approach when it contacted the board in late July or early August as part of its response to Newsroom’s OIA request.

Turnbull said the schools did want its use of restraints to reduce and eventually be eliminated, although he had some reservations about whether that would actually be possible.

“As yet, I haven’t heard anyone come up with a response to a student, and it can be a male or a female student, who might be a big bully who is, let’s say, 100 kilos, who loses it ... we have difficult kids at our schools, very difficult kids.”

Turnbull confirmed the schools allowed the use of floor restraints as taught in the Safe Crisis Management programme, but said they were “very rarely used”, while staff had to be formally signed off to use the holds after training, which continued on an ongoing basis.

There had never been any concerns raised with the schools about their use of restraints, he said, drawing a contrast with [the Oranga Tamariki whistleblower video published by Newsroom](#).

“When I saw that, my immediate response was, that’s a case of assault. It’s not a restraint. It’s an assault.”

Halswell and Westbridge previously [fought off closure under the National government in 2012](#), and Turnbull said the relationship between the schools and the ministry was still “at times strained” with apparent concern over their operating costs.

Ministry: ‘misunderstanding’ to blame for non-reporting

Helen Hurst, the Ministry of Education’s deputy secretary for sector enablement and support, told Newsroom that Halswell and Westbridge were not reporting restraints outside of school hours “due to a misunderstanding that it was not required”.

When the ministry became aware of the problem, it worked with the schools to bring them back in line with legislation, and was confident there was no intention to breach reporting requirements.

While it had noticed the drop-off in restraints, that had been attributed to declining school rolls and the expectation that restraint use would be minimised, rather than any change in reporting.

Asked about the schools’ use of floor restraints, Hurst said there were no national standards for trainers on the use of physical restraints on children, only broader ministry guidance.

It was staff and their employers who were responsible for managing workplace risk, and the schools had chosen a training provider which allowed the use of those holds.

Hurst said the use of physical restraint in schools could only be used to prevent “imminent harm to the student or another person”, and when there was no other option available.

“We expect all schools to actively work towards minimising its use, as it can be harmful to all those involved, including those witnessing its use.”

The ministry was in the final stages of developing a new training approach to help schools meet their obligations and minimise the use of restraint, and would release proposed rules and guidelines for consultation once that work was done.

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16 December 2024

Ellen MacGregor-Reid
Secretary for Education
Ministry of Education
PO Box 166
WELLINGTON 6140

Kia ora Ellen

Westbridge Residential School 4157

I write to outline ERO's significant, ongoing concerns in relation to Westbridge Residential School. Westbridge is defined as one of nine Special Institution in Schedule 2 of the Education and Training Act 2020. The school caters for students between 8 and 15 years of age with highly complex and challenging social, behavioural and / or learning needs. Students should only be directed to the school where the Ministry has found that local learning support services have been insufficient to meet the student's needs. Enrolments at the school are by way of a s.37 direction by you as Secretary of Education.

During our ERO review in Term 4, 2023 we found very high numbers of serious physical assaults and property damage occurring in both the hostel and the school. At that time, staff and the 20 students attending were at critical risk and ERO recommended immediate support and intervention. I understand that the Ministry of Education facilitated a case conference at the start of this year to look at how the concerns we identified in Term 4 might be addressed.

ERO has been regularly visiting and monitoring Westbridge Residential School's operations since that time. There remain an unacceptably high number of reported incidents of student assaults on staff, other students and property damage in the school and hostel despite a significant roll decline during 2024.

In Term 4, 2023 there were 193 physical assaults on staff or students and 102 incidents of property damage with a peak roll of 20 students. Term 3, 2024 data shows 37 incidents of student and staff assaults and 38 incidents of property damage for a roll of between 8 to 12. We note that even with a roll decrease to 8 students, there have been 3 police callouts to the school during Term 4, 2024.

It is ERO's view that staff, systems and practices at Westbridge are ill-equipped to meet the needs of the students being enrolled at the school. While some progress has been made there is continued need for all staff to become confident in behaviour management practices to support students' complex behaviour. Restraint use has averaged between 2-3 incidents per month since mid-2024.

While the Ministry of Education has very recently offered an educational psychologist to work with staff at the school, I am concerned that students at Westbridge are not currently

receiving any therapeutic programs or accessing educational psychological support or other specialised therapeutic services. It seems to me that the availability of these programmes should be a fundamental part of the rationale for referring students to this school. Such support is essential for their transition back to their local school setting and is a key justification for the significant funding the school receives.

ERO has found that ongoing disruption to learning programmes from continued behavioural incidents negatively impacts the continuity and quality of teaching and learning. It also impedes students' progress in meeting individual education plan (IEP) goals and the experiences that students have while living in the hostel.

The recent application of the enrolment criteria has increased the number of students with complex and challenging behaviours, including more female students and 15-year-olds. Such age mixing provides additional risks to the safety and welfare of students.

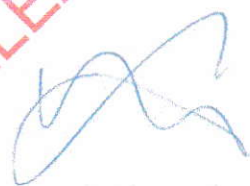
Senior student's qualification pathways are also disrupted at Westbridge. The school is not accredited to offer NZQA courses. This is currently overcome through dual enrolments with Te Kura correspondence for literacy, numeracy and NCEA courses.

I am informed that students whose serious behaviour poses a risk to the health and safety of students and staff, are being suspended and excluded by the school board. However, ERO knows of at least two cases where excluded students are also being redirected by the Ministry of Education back to Westbridge. This needs further exploration to establish whether the school is able to cater or meet the needs of the students being enrolled.

The students in Westbridge Residential School have highly complex and challenging behaviours. Given the level of risk these students are being exposed to each day, and the questionable support and educational provision they are receiving, we question the purpose that this residential specialist school serves in the system for these learners.

Considering the ERO findings outlined above, I urge that serious and immediate attention be given to this situation. I lack confidence that the current arrangements offer any assurance regarding the safety and welfare of both staff and students. I am also deeply concerned by the lack of a comprehensive therapeutic approach to meet the needs of these students, as well as the school's inability to provide its own educational options for senior students. As a consequence of my concerns, I recommend that the Ministry exercise its discretion to withhold direction of enrolment of students into Westbridge until such time as the school can confirm to ERO and to you as Secretary, that it has in place the necessary programmes and capability to cater for the needs of those students who meet the criteria for enrolment at Westbridge.

Ngā mihi



Nicholas Pole
Te Tumu Whakarae mō te Arotake Mātauranga /
Chief Executive and Chief Review Officer

[NEW ZEALAND \(/NEWS/NATIONAL\)](#) / [POLITICS \(/NEWS/POLITICAL\)](#)

Proposed closure of Westbridge Residential School following safety, performance concerns

4:59 am on 4 February 2026

[John Gerritsen \(/authors/john-gerritsen\)](#), Education Correspondent

✉ john.gerritsen@rnz.co.nz (<mailto:john.gerritsen@rnz.co.nz>)

subject=Proposed%20closure%20of%20Westbridge%20Residential%20School%20following%20safety%2C%20performance%20concerns)



The Education Ministry has opened consultation on closing Westbridge Residential School. Photo: Supplied / Westbridge Residential School

The Education Ministry has proposed shutting down a struggling boarding school for children with extreme behaviour problems due to fears for their safety and education.

This week it opened consultation on closing Westbridge Residential School, one of just three residential schools for students with disabilities.

Accompanying documents showed the Auckland school had been under close scrutiny for at least two years and had a roll of just six students in the middle of last year.

"Despite ongoing interventions and governance support, significant concerns remain regarding the ongoing health and safety of students and the quality of education that is provided at the school," the consultation paper said.

The school's future has been in doubt for several years due in part to low enrolments (<https://www.rnz.co.nz/news/national/452863/low-enrolments-at-special-schools-drive-high-per-student-cost>) and to criticism of residential schools (<https://www.rnz.co.nz/news/national/534211/residential-schools-for-disabled-students-failing-children-and-their-families-report-finds>) generally.

The Education Review Office (ERO) warned of a high number of physical assaults and property damage in a 2023 report and again in 2024, with a follow-up report in 2025 saying those problems had continued though at a reduced level due to the school having fewer students.

A briefing for Education Minister Erica Stanford said ERO recommended at the end of 2024 that enrolments stop until the school could confirm it met the needs of its students, prompting the acting Secretary for Education to personally take over responsibility for approving enrolments.

The ministry appointed a limited statutory manager to the school in March last year, escalating to a commissioner in June that year.

The briefing said Westbridge had previously enrolled children aged 8-12 years, but that changed to include 13-15-year-olds.

"These older students have more complex and challenging social, and/or learning needs (including drugs and alcohol use), and also require the school to provide access to NCEA pathways," it said.

The report said students typically enrolled at the school for a few months and over the past five years its roll averaged 9-10 students.

The school had shared a board of trustees with another residential special school, Halswell in Christchurch, but the board found it difficult to manage two separate sites and last year asked to be split into two separate boards.

The briefing said previous Westbridge students had lodged historic abuse claims which the school's commissioner was dealing with.

The briefing said ERO last year found improvements at the school following earlier criticism.

It said that included training for staff, ensuring students' access to psychological and specialist services continued after they arrived at the school, and monitoring students' social and behavioural goals.

But it also concluded that student health and safety remained a problem.

"Assaults and property damage continue. Some incidents, such as continued physical aggression towards teaching staff are not always documented or recorded by staff," it said.

"Despite some improvements, the curriculum at Westbridge is not currently fit for purpose for secondary students."

The briefing said the ministry was confident students currently at the school were not at the same level of risk as at the end of 2024.

It said incidents involving students would remain a challenge and it questioned whether Westbridge was providing effectively for students.

Consultation would close on 15 March and Westbridge could be shut down by July or August this year.

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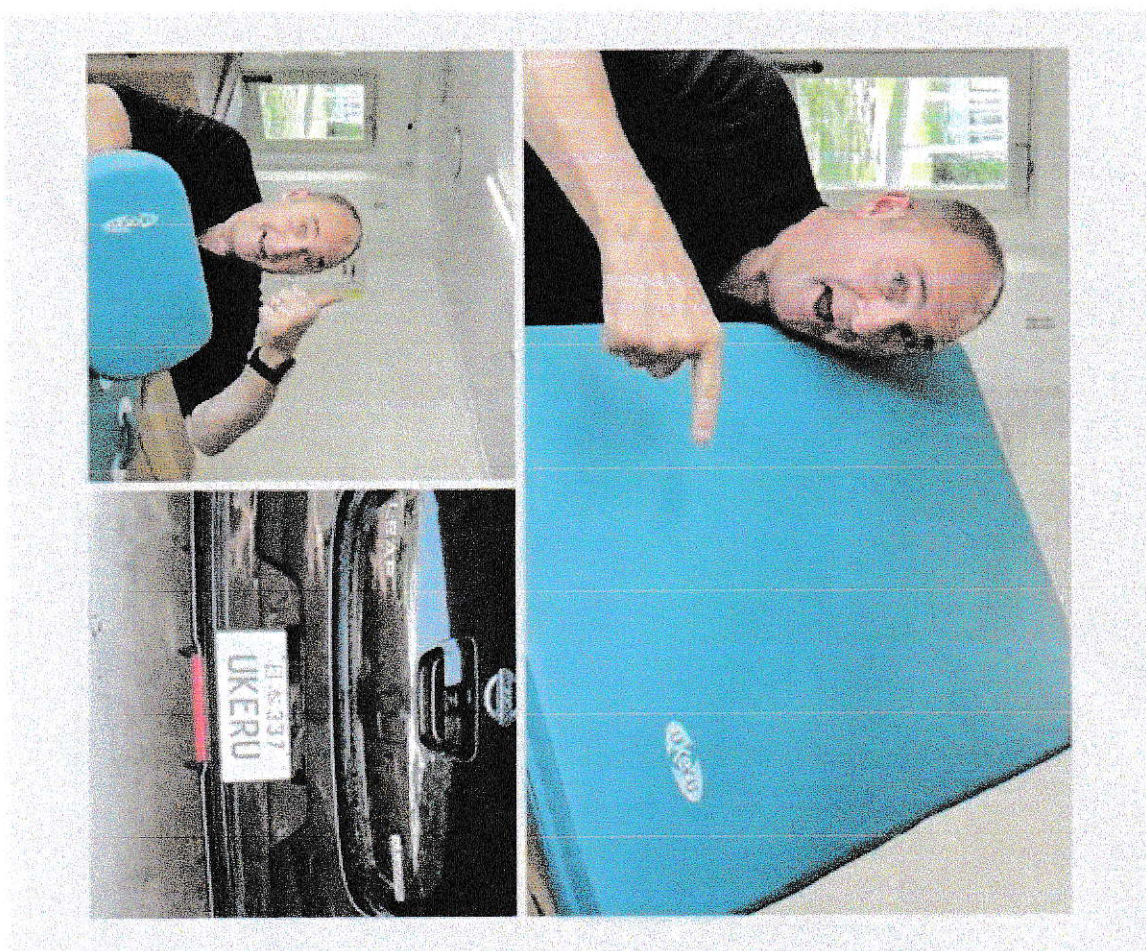
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Whanau Information - February 2023

As part of our trauma-informed journey we are introducing 'Ukeru', a restraint free crisis management system to Westbridge. We are the first school in New Zealand to introduce this cutting edge system which is used in over 400 institutions in North America.

We believe that all interventions — educational and behavioural — should be built on an approach of comfort versus control. To help make this a reality, we are utilizing new training on the conceptual ideas — such as trauma informed care and conflict resolution — as well as physical techniques that eliminate the need for restraint. Conceptual training of Ukeru includes verbal and nonverbal communication, managing and de-escalating conflict by converting/diverting aggression, building an environment focused on comfort versus control, and recognizing the traumatic experiences of tamariki. It also involves a system of blocking techniques to protect kaimahi and ākonga during behavioural episodes including physical aggression.

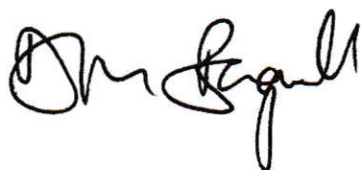
The Ukeru training will be completed by all kaimahi at Westbridge during term 1, 2023. A social story will be provided to all ākonga so that they have a full understanding too.

We are very proud of having avoided the use of physical restraint at Westbridge for well over a year. The Ukeru system will support us in continuing to operate a restraint free environment by enhancing our culture of care and strengthening the comfort versus control approach.

For further information regarding Ukeru, visit www.ukerusystems.com

For any other questions please contact Debra Ross or myself.

Yours Sincerely,



David Bagwell - Principal

Looking at recommending LSM Westbridge Residential School
Online hui held 13 March 2025 8.30pm

NB – the notes have been themed to include the various kōrero throughout the hui under the same theme, so the flow of the timing is not linear.

NB – initials of people's names are used to reflect the speaker/action

NB – the answers to the questions raised were obtained the following day, however included in the actions section for ease of one document.

Present:

MoE – Michelle Ashby, Coralanne Child, Tanya Harvey, Jess Robertson, Sarah Smart

WRS – David Ivory (Presiding Member), Jon Purdue (Acting Principal HRC), Joseph Tyro, Lorraine Taogaga, Cherie Jaeger (Acting Principal WRS), Jon Kaho, Reuben Aita-Ilaoa (Staff representative), Anne Askey (Secretary).

Apologies: Moses Faleolo.

Opening karakia

The timeline of events since Dec 2024 were discussed with the group (appendix 1).

DI commented that the age mixing policy is a draft and has not gone to the board yet.

No further comments or questions.

Tanya then shared

- that after consideration of the evidence at hand concerns still remained,
- therefore progressing with a recommendation to appoint a Limited Statutory Manager (LSM),
- the intervention covers both schools as this is a Combined Board, with the main focus on the issues raised at Westbridge, however Halswell is also part of the scoping phase
- the scoping exercise will occur over the next four weeks.
- The LSM powers will include:
 - employer, policies and procedures, health and safety, consolidate all new and improved systems, curriculum management
- The LSM advisory functions will include
 - finance, communication, development and implementation of the current Action Plan
- The board remains the PCBU
- the process from here is that the LSM will meet with the Board next week where we will answer further questions and support the Board going forward

DI asked when the LSM would be likely to **commence** and TH replied early next week, likely Monday but at the time of the Gazette notice being published. DI commented that was excellent and good to start at the beginning of the week.

DI requested an estimate on **costings** given they had calls on legal costs for historical claims that the Ministry was aware of. TH replied that at this time the costings were not available as the scoping hours etc needed to be worked through, acknowledgement that Ministry is aware of the need for 'reasonable' costs. There was discussion on the Education & Training Act section 180 for the costs to be met by the Board and noted that the LSM sets their hourly rate.

DI – asked if consideration had been given to the **experience** of the LSM in a specialist school and also residential school setting. TH replied yes, very mindful of the need for a capable LSM to be appointed.

DI – asked what impact the LSM would have on the work underway to **split the Board** and whether this would be included in the scoping. TH replied that they will seek clarification on that point. DI noted the time sensitive nature for a LSM and his experience with statutory interventions, WRS had previously had 12 years with a Commissioner and that the objective now was for shorter intervention support to enable the Board to return to self governance.

CJ asked about the **current enrolment** status, including possibility of **extensions** for ākongā who need to stay past the end of term, given the LSM appointment. MA replied that the current situation will continue until further direction is received from the Secretary, we will monitor as we go and we will clarify the extension question.

DI queried if the current **Board workplan** and **frequency of Board meetings** will continue. He noted that their next Board meeting is Friday next week (21st Mar) at 9.30am (Hybrid meeting, Halswell and Westbridge & on line) if the LSM could attend that. TH replied that given the four week scoping period further hui may be needed with the Board and she would let the LSM know about next Friday. DI asked Anne to start gathering previous Board minutes and agendas. They will also send TH the link to the hui to forward to the LSM.

DI asked if **In Committee** minutes (especially in relation to previous Principal) and also the information related to the **historical cases** would be disclosed to the LSM. CC replied that it was likely it would be only those pertinent to the scoping needs, however we would seek confirmation.

DI sought clarification, from the timeline shared where the HRC matter was included, that the focus was on Westbridge. TH confirmed it was, however the scoping includes both schools and matters related to HRC would be included for consideration and also for any next steps.

DI asked about **employment** and noted the Principal interviews on Saturday and that they would proceed. TH advised yes, the process can continue, however noting the LSM has employer powers once Gazetted and would work with the Board on that process.

DI suggested that each Board member share their thoughts and ask any questions they had.

JK asked **what specific concern** remained from the action plan to lead to this. TH referred to the 25 February hui where feedback was shared on the actions completed and upcoming, and the concerns raised by the Ministry at that time, ie whānau and staff had not been notified of the situation and this only occurred after directed by the MoE, the lack of urgency with some H&S actions including the mixed age grouping policy noted for the end of March, lack of transition to school preparation or academic achievement included, lack of urgency seen throughout the process.

DI asked about the process for **communicating to whānau and staff** with the LSM appointment. CC explained that normally there would be shared communication by the Board and LSM; sometimes an LSM can also be reassuring to families that the Board is working with someone. Also to note that once the information is Gazetted, there will likely be **media** interest. The Board may want to

consider including in their statements that they are working with the Ministry and are in agreement with the support being provided. Extra support is available to the Board by Ministry and also NZSBA, noting the advisory function of the LSM as well.

DI noted he would not want people think the Board had acted unprofessionally or didn't have the skills to govern the schools, **unusual situation with WRS** and all of us have struggled at some point over the years, situation with previous Principal and the behaviours experienced by different parties ie Ombudsman, Ministry and bringing shields etc.

LT reassured that the LSM isn't coming in due to the lack of skills of the Board, **appreciate the LSM working alongside the Board for the robustness of process** and wanted to reiterate to the group that the Board had traversed a number of difficulties over the past few months and have given their best and she has been reflecting what she and the board could have done differently. This has not occurred due to any lack of concern to the ākonga at the school and confident going forward to iron out any issues laid out. WRS has an amazing team with Cherie and they continue to give their all, confident the team on the ground can resolve this.

JK wanted to point out that a lot of this policy stems from the **elimination of restraint direction**; 1 school changed and 1 school didn't, feels that this process stems from this and ākonga are missing out because now they are paying for a LSM. Main thing is to make kids safe.

JT noted they have five board members for two schools in two geographical locations. In regard to the skill matrix the board does their best they can do within the current limitations. Very confident with the current interim principals that are in place, better than 12 months ago, asked for a LSM last year with Case Conference and happy about this intervention to move forward. Feels lucky to have Jon, Cherie and their teams on board as we work through these processes, move on with what we need to do.

Anne – no comments to add.

DI – once Gazette notice occurs then Anne will need to notify all applicants of the LSM being appointed for transparency and as some may choose not to be candidates.

TH reminded that confidential until the Gazette notice is published, we will let the Board know.

9(2)(a)



9(2)(a)



9(2)(a)



JP (HRC) - wanted to reiterate that the communication will be extremely important as any hint at special education or residential will create a media storm and this needs to be seen as happening in partnership rather than being done to. This is a really unusual situation where one board is governing two schools and two principals. Clear communication will be very important to staff students and potential students. Also noted the impact on the work to split the Board.

RA-I had no questions and just wanted to commend everyone on the talanoa tonight, looking forward to working alongside everyone for the best outcome for our students.

DI thanked everyone for their input as did MoE and noted their role is to support the board by building capability for and all focused on the best outcomes for ākonga.
Reminder of confidentiality until the Gazette notice is published.

Actions: (with information sourced on Friday 14 March shown in italics where applicable).

1. MoE to confirm estimate of costs once scoping costs are known – possibly Monday 17 March
Included in the letter to the Board dated 14/3 - 9(2)(a)
The ongoing maximum monthly hours will be confirmed after this time
2. MoE to advise on the impact of the LSM on the work already underway with the MoE to split the current Board
The Board can continue their work in this space, however at this time the priority is on the health and safety of the ākonga by the LSM. This may arise as 'other issues' with the LSSM through their scoping and discussions with the Board.
3. MoE to advise on enrolments – will extensions for current ākonga be given ie for those attending now and who may need to continue past their current enrolment time?
Any enrolments will remain at the discretion of the Secretary and will be considered on a case by case basis. The LSM will be involved with any assessments made by the Board/School as part of their H&S powers.
4. Anne to start gathering previous Board minutes and agendas and to send TH the link to the hui to forward to the LSM
5. MoE to advise if disclosure of the In Committee minutes and information related to the historical cases would need to occur with the LSM
These will only need to be shared if they are pertinent to the work of the LSM.
6. MoE available for communication support to the Board and LSM if needed.
7. MoE to advise NZSBA/ERO of the appointment of the LSM
This will occur Monday 17 March.
8. Once the Gazette notice occurs Anne will need to notify all applicants of the LSM being appointed.
This will occur on Monday 17 March.

Closing karakia at 9.37pm

Appendix 1 – Timeline of key events

Date	Issue
16/12/2024	Letter sent from CE ERO to you outlining its concerns and recommending you initiate an Action Plan intervention
19/12/2024	You wrote to the Board requesting a draft Action Plan be submitted to us by 7 February 2025 and asking for assurances to be given regarding three upcoming enrolments.
15/01/2025	Ministry Te Mahau (Learning Support and Tāmaki Herenga Tāngata) team met with the Board.
17/01/2025	Information received from the Board regarding upcoming enrolments.
24/01/2025	Updated letter provided to the Board containing detail of additional information required.
29/01/2025	Meeting between Ministry team and some members of the Board and WRS Senior Leadership Team (SLT) held at WRS.
07/02/2025	Draft Action Plan received by the Ministry of Education.
10/02/2025	Ministry met with ERO to share draft Action Plan and request feedback
14/02/2025	First full Board meeting held since the notification of the Action Plan received, Lead Adviser Residential Specialist School in attendance for part of the meeting.
21/02/2025	WRS Enrolment Panel meeting put on hold pending further advice.
25/02/2025	Ministry met with the Board to discuss the draft Action Plan and to flag that we were considering further statutory support for the Board (potential for LSM discussed).
25/02/2025	We were notified of an incident 9(2)(a) [REDACTED] [REDACTED] [REDACTED]
28/02/2025	We sent a follow up communication to the Board to issue it with a requirement to notify all whānau of enrolled students and staff of the concerns raised by us.
03/03/2025	Confirmation received from the Board, via the acting Principal, that comms had been sent.
07/03/2025	We received proposed draft mixed age grouping policy per action plan from Board

newsroom.

EDUCATION

Calls to end segregated education in light of Royal Commission

The Education Minister is taking a closer look at specialist schools, as advocates and survivors call for an end to a system where students with disabilities and high needs are segregated from their peers



by **Laura Walters**

29/07/2024



The country's three specialist residential schools and 27 specialist day schools are under the microscope following the Royal Commission of Inquiry into Abuse in Care. File photo: Lynn Grieveson

Education Minister Erica Stanford has instructed the Education Review Office to review the country's three specialist residential schools every year, with wider work underway to increase oversight and strengthen systems.

The increased scrutiny comes in the wake of the Royal Commission of Inquiry into Abuse in Care which includes case studies and comments relating to abuse suffered by people at specialist residential schools.

An entire volume is dedicated to the experiences of survivors who suffered abuse at residential schools for deaf people, while others with intellectual and physical disabilities recount the horror of their time spent at the 'psychopaedic' Kimberley Centre in Levin.

READ MORE

EDUCATION

Specialist schools under-reported use of restraint

JUSTICE

Govt takes blame, will apologise to children abused and tortured in state care

The watershed report comments on the impacts of segregation on people with disabilities, and how these ‘out of sight, out of mind’ institutional environments increase the risk of harm being done to vulnerable children.

The report has also seen advocates, including a specialist residential school survivor, renew calls for shutting such schools and working harder to equip the mainstream system in favour of sending kids to specialist day schools.

Currently, New Zealand has three specialist residential schools, where 50 students with disabilities or very high needs live and learn for up to two years, away from their family and separate from the mainstream system.

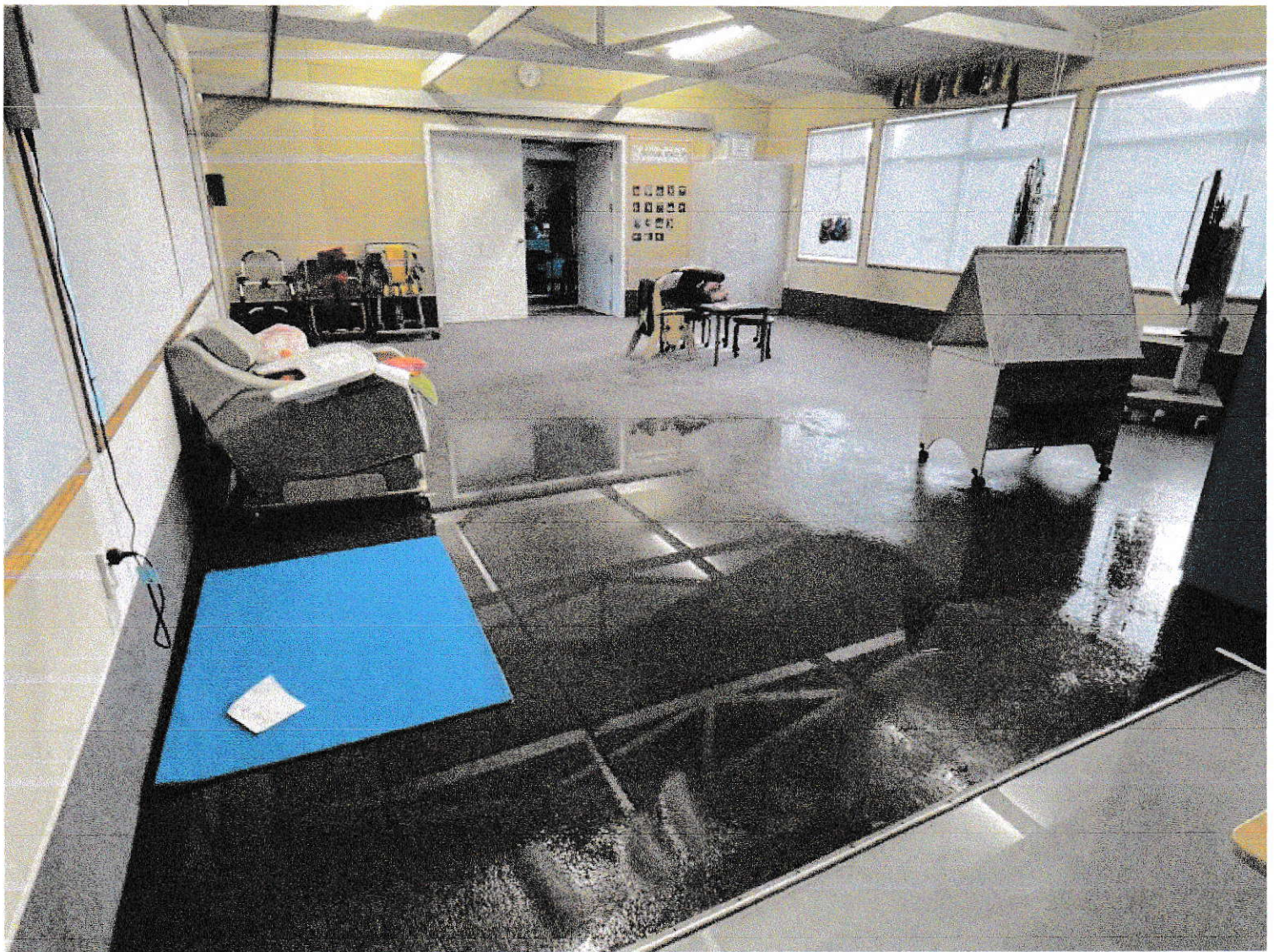
In 2022, the UN Committee on the Rights of Persons with Disabilities recommended the Government shut the schools and direct funding to community-based support.

In 2018, **the Ministry of Education created a new direct-access pathway** to make it easier to access the schools. In 2021, Labour’s associate education minister Jan Tinetti kicked off a process to further widen access to residential specialist schools following years of low student numbers.

She hit pause after the UN delivered its report, throwing those schools, staff and students into limbo.

In 2021, reporting by Newsroom found two of the country’s three specialist residential schools had been **under-reporting their use of physical restraint**. A ‘misunderstanding’ between the Ministry of Education and two specialist schools led to a breach of legal requirements for reporting the use of physical restraint on students. They were only reporting the use of restraint while students were ‘in school’.

In 2018, Westbridge Residential School in Auckland and Halswell Residential College in Christchurch alone were responsible for almost one in every five cases of physical restraint across the entire New Zealand education system.



Flooding caused by plumbing issues at Sommerville Special School. Photo: Supplied

Meanwhile, there are 27 specialist day schools across the country, catering to almost 4000 students with diverse, complex, and fragile needs.

Over a third (36 percent) of students in these schools have very high needs. This represents 53 percent of all verified very high needs students. The remaining two-thirds (64 percent) of students in specialist day schools have high needs.

Since 2013, school rolls have grown by 62 percent. However, no new specialist day schools have been established in more than 50 years.

In June, [ERO released the report *Built in, not bolted on*](#), which found specialist schools played a critical role as experts in supporting non-specialist schools and providing quality education for children with the highest needs.

It also laid out the unacceptable state of specialist school property and highlighted long wait lists of more than 650 children, along with decades of underinvestment in maintenance and growth.

Panmure's Sommerville School – the country's largest specialist day school – has become known as [the school with fungi growing up the walls](#).

“The rebuild has been promised for around 20 years,” school principal Belinda Johnston told Newsroom in February. “In the meantime we’re in buildings that are crumbling, with falling ceiling tiles and black mould.”

In response to the under-funding, and specialist schools’ detachment from broader school network planning, Education Minister Erica Stanford announced \$89 million for specialist day schools in this year’s Budget.

A closer look at the system

Stanford – who is also the minister in charge of the Government’s response to the Royal Commission – said after reading the report she sought assurances the current environments and standards of the residential schools were safe and appropriate.

“I was advised the two residential behaviour schools were last reviewed in June which identified they are operating well,” she said in a statement to Newsroom.

“I’ve instructed ERO to now review the schools every year, to assess both the teaching and learning, as well as the residential accommodation.

“I’m now working with the Ministry of Education on how we can increase oversight and further strengthen systems and processes.”

Stanford said she had been advised there was more oversight from the ministry and ERO, compared to residential schools of the past.

As reported by Newsroom in June, the minister was currently looking at the future of the entire learning support system, of which residential specialist schools are a part.

Stanford said this was in an effort to ensure the education system met the needs of all learners and their families.

On specialist day schools, the minister referred to the ERO report from June in her reasoning for the almost \$90m of ring-fenced funding in Budget 2024, saying these schools provided certainty and choice to parents.

“[The funding] will redevelop specialist facilities and increase satellite classrooms for students with high needs.”

It included \$63m in depreciation funding to upgrade specialist schools in poor condition, and \$26m in capital funding to deliver additional capacity through 17 satellite classrooms for specialist schools, relieving pressure on the network.

As part of this investment, specialist schools and satellite classrooms were being included in network planning for the first time. The minister said she hoped this would ensure students could have the learning environments they needed to succeed, and parents had choice with their child’s education.

Stanford said beyond these oversight checks and additional funding, a broader specialist schools work programme was currently underway.

This should help identify the need for future investment and what should be prioritised, in order to allow the growing needs of students to be met, whether through mainstream or specialist schools.

Segregated systems – past and present

The minister's decision to increase the oversight of specialist residential schools, and review the specialist education system more broadly, is pertinent with the delivery of the Royal Commission's report.

Alongside detailing the specific abuse faced by those with disabilities or neurodiversities while in state and faith-based care, the commission made general comments about this type of segregation.

It said there was an over-use of institutional care for Deaf, disabled and mentally distressed children, young people, and adults, while these people were often denied or restricted from involvement in decisions about their own lives.

"Instead of addressing the social and cultural needs of whānau by resourcing and empowering families to care for their own, the state placed children, young people and adults in punitive, institutional settings that segregated and isolated them from their whānau and communities where they were of sight and out of mind," the report said of state care in the period from 1950 to 1999.

"Society's discriminatory attitudes towards difference, including racism, ableism, disablism, sexism, homophobia, transphobia, punitive attitudes towards whānau and individuals who need support, all had one thing in common: they devalued and dehumanised children, young people and adults in care."

Being segregated and experiencing restricted contact and separation from whānau and community caused acute pain and had lifelong negative impacts, the commission said.

"Many were institutionalised to the extent they struggled to live independently. They were denied personhood and their culture, as well as the opportunity to practise life and community skills. Disability communities lost generations of future leaders."

Paul Brown, a survivor of a specialist residential school for blind children in Scotland and a spokesperson for the Inclusive Education Action Group, said funding should be directed towards making local schools more accessible, rather than increasing the specialist school network.

"Often [specialist schools] are a last resort when the mainstream hasn't worked. And the mainstream hasn't worked usually for lack of funding and/or lack of support."

Brown was referring to support for kids and young people directly, but also for the schools and their teachers.

While the Government spoke about giving parents a choice, Brown believed there was currently no genuine choice while the mainstream or local school system was unable to cater to the needs of these students.

No child should be taught in a mouldy classroom, and there was a need for investment because the schools couldn't (and shouldn't) be shut overnight, but he would like to see the Government come up with a plan to phase out specialist schools.

"Nobody's pretending that local schools are all great and that disabled kids are welcomed. They're very variable, and the experience of disabled children and young people in mainstream settings is bloody patchy, to say the least," he said.

“But that is always going to be the case if there’s an alternative to take kids out and put them in a specialist area.”

While the oversight of specialist schools – particularly specialist residential schools that featured in the Royal Commission report – had improved, segregating someone from their family and society increased the risk of abuse and deprived them of the opportunity to be fully a part of society.

If New Zealand carried on down this path, Brown said he expected another royal commission in a couple of decades.

“We’re perpetuating the issue that somehow disabled children don’t have the right, are not worth enough to be educated in the local school.

“How many generations of disabled people are we prepared to write off? At what point are we going to call a halt to this?”

People with disabilities disproportionately experience poverty, unemployment and discrimination. Education was a big part of turning that around, he said.

“People always say disabled kids have the right to be educated in their mainstream schools. I also say that non-disabled kids have the right to know about the diversity of society. It’s not a one-way street. Society is made up of all sorts of people.”