



Shahil S
FYI-request-10187-7f3bfd14@requests.fyi.org

Dear Shahil

Thank you for your email of 23 April 2019 to the Ministry of Education requesting the following information under the Official Information Act 1982 (the Act):

An overview of all complaints the ministry received for Al-Madinah school over the last 10 years (2008-2018) and also a list of all investigations the ministry undertook in regards to this school within that period.

Please provide for each complaint or investigation [—]

- a. the nature of the complaint*
- b. the outcome of the complaint*
- c. any actions the ministry took as a result of the complaint or investigation*

On 29 April 2019, we transferred one further part of your request to the school under section 14(b)(i) of the Act, as it was more closely connected to its functions:

During the period between 2008 and 2018 the school board of trustees decisions it made about the school (grounds and buildings), finances, and appointing staff.

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

I apologise for the delay in providing you with a response to your request.

By far the majority of schools operate successfully, but a small number develop difficulties or have unanticipated events that they cannot resolve without outside help. We always support schools to resolve problems themselves and only intervene as a last resort when there is risk present at the school that cannot be addressed in any other way. Where we do step in, an intervention aims to bring expertise and a fresh perspective. It also acts as a circuit breaker so that the focus of the school can go back on teaching and learning.

We have been supporting Al-Madinah School for just over two years, after receiving several complaints about employment issues, financial mismanagement and issues with recruitment of staff.

We appointed a Limited Statutory Manager for the Board in May 2016 and then appointed Bruce Adin to the role of Commissioner, effective 10 April 2019. Bruce is a statutory appointee and independent of the Ministry empowered to carry out the functions, powers and duties of a Board of Trustees.

Bruce will work with the school and its community to particularly focus on specific issues and concerns including assessing board financial management, ensuring employment and health and safety responsibilities are met, and to ensure the school can be returned to self-governance as soon as this is appropriate.

Complaints

We have identified twelve complaints about the school. These complaints have been summarised under section 16(1)(e) of the Act, and are attached to this letter as **Appendix A**.

Investigations

Financial management is one of the risk areas to be addressed by Bruce in his role as Commissioner. Bruce will work with the school to address issues identified around its financial management and reporting, to ensure that there is a robust process for correctly identifying and reporting financial transactions.

There have been three investigations into the school's finances:

- In March 2015, the school investigated matters raised during an inspection by the Education Review Office (ERO)
- in November 2015, we commissioned FIG Group Ltd to undertake a forensic investigation to examine records held by school systems and files in relation to the probity of receipts and payment, employment and other pertinent matters; and
- In June 2018, the Ministry engaged a specialist firm, PwC to perform a forensic investigation of Al-Madinah School's finances. This was prompted by concerns raised during the first audit of the school's annual financial statements. This investigation is yet to be completed.

More information about the Board's investigation is attached to this letter as **Appendix B**. The information for this report was collected in confidence. For this reason, I summarised the Board's report under section 16(1)(e) of the Act.

In 2017 the Office of the Auditor-General raised concerns regarding the school's financial management and compliance, including related party transactions, conflicts of interest and the school's fundraising practices. You can find the Auditor-General's report by going to <http://www.oag.govt.nz> and typing the report's name, "Results of the 2017 school audits" in the search box at the top right hand side of the page.

As a result the Ministry commissioned a forensic investigation of the school, which was undertaken by FIG Ltd. The FIG Group's report contains information which is material to the audit being done by PwC, Because of this, I am withholding the FIG Group's report in full under section 6(c) of the Act, to avoid prejudice to the maintenance of the law, including the prevention, detection and investigation of offences.

I have also withheld the material in relation to the PwC investigation under 6(c) to avoid prejudice to the maintenance of the law, including the prevention, detection and investigation of offences.

Thank you again for your request. Section 28(3) of the Act gives you the right to refer my response to an Ombudsman. You can do this by writing to info@ombudsman.parliament.nz.

Yours sincerely



Katrina Casey
Deputy Secretary
Sector Enablement and Support

cc: Isabel Evans, Director of Education for Auckland

Appendix A

Summary of complaints about Al-Madinah School

Please note:

1. The Ministry's response in some cells in the table is labelled as **not recorded**. This is because it is not possible for us to provide a complete summary of each complaint and the Ministry's response. This can be for multiple reasons, including the age of the complaint, the method chosen to relay information to complainants, whether the staff member responsible is still employed by the Ministry, and whether an individual parent wished to pursue their complaint further.
2. Every Board of Trustees should have a formal complaints handling process for parents to access when they have a problem. In the majority of instances, our advice is for parents to raise their concerns with the Board in line with this policy. Where a parent is not comfortable with this approach, we may offer to raise issues on their behalf, or support them in their meetings with the school.
3. With regard to complaint number 2, we allow proprietors of integrated schools to make their own decisions about the spending of Ministry funding for school property repairs in line with agreed guidelines for building modernisation, health and safety, and capital replacement.

	Date	Summary	Response
1	2010	<p>A correspondent advised the Minister of Education Hon Anne Tolley that the Principal was not in school and was likely at another location for personal reasons.</p> <p>The complaint was forwarded to the Ministry for a response.</p>	<p>The Commissioner at the time advised that the Principal was at the specific location for a meeting. The Commissioner advised that he did not have any concerns with this.</p>
2	2011	<p>A parent complained about the conditions in the new entrants' classroom. The parent noted that they considered the conditions in the classroom to be unsuitable for new entrants.</p>	<p>Not recorded Refer to notes above.</p>
3	2014	<p>A parent complained about several incidents of alleged bullying of their child by another pupil.</p> <p>The parent noted other issues, including the possibility that certain staff were not qualified for their roles, including that relatives of existing staff are being appointed to teaching roles, and to the Board of Trustees.</p>	<p>The parent raised the bullying issue with the school, and met with the Principal. The parent noted that they did not feel satisfied with the outcome of the meeting.</p> <p>We advised the parent that we were willing to make contact with the school to raise the issues of concern. The parent agreed.</p> <p>In later correspondence, the school advised that there had not been any further incidents of bullying towards the child.</p>

4	2015/16	A parent wrote to the Ministry complaining the school had written to them about a letter from the Board about unpaid school fees.	We advised the parent that State-Integrated schools are allowed to charge and collect attendance dues as should be defined in their enrolment forms. We advised that if the fees had been paid, then the parent should take evidence of this to the school.
5	2015	Some members of the school community made contact with the Ministry to raise concerns about the governance of the school, and the Board's approach to collecting information for its report <i>Investigation on Education Review Office concerns dated 24.6.15</i>	A meeting with school staff was held at Ministry's offices in Auckland. The concerns were passed to the Board for response, with staff details withheld.
6	2016	A parent wrote to the Ministry to raise concerns about developments that appeared to occur before ERO's visit, including a requirement to buy homework diaries. The parent also noted issues connected to the school's infrastructure, including drinking water, the school fence, and the state of the school's canteen. The parent also noted that some teachers' workloads were too high. The parent noted that the Principal does not take complaints against the Deputy Principal seriously.	The majority of communications with the complainant took place by telephone, and as such, our advice is not recorded . A Ministry education advisor raised the issue of the school's drinking water with the Principal, who advised that changes to the school's drinking water coincided with ERO's visit.
7	2016	A parent complained about their child being bullied by her teacher. The parent advised they had a meeting with the Principal to discuss this.	We advised the parent to contact us if they were not happy with the outcome. No further actions are recorded.
8	2016	A parent complained about an alleged instance of bullying involving their child. The parent stated they did not consider that the school had managed the issue appropriately.	We advised the Principal to contact the parents. We followed up two days later, and the family were satisfied with the outcome.
9	2017	A former student complained that they had not been selected for an academic award by the school. The student advised that he had discussed the matter with the Principal, but was not satisfied with the explanation.	We advised the student they were correct to discuss this with the Principal. We advised that if the student was not satisfied, the next step would be to write to the Board with their complaint.
10	2017	A parent contacted us to raise concerns about the Principal's treatment of their son, who had been sent home due to their appearance.	Not recorded Refer to notes 1 and 2 on previous page.

11	2017	A parent wrote to us to complain about alleged bullying by a teacher towards their child.	The parent met with the Principal and the teacher concerned to discuss the matter further.
12	2018	Local residents wrote to us to raise concerns about the noise made by students during weekend sports events.	We advised the residents to raise their concerns with the school in the first instance.

Appendix B

Investigation on Education Review Office concerns dated 24.6.15

Prepared by Al-Madinah School's Board of Trustees
summarised under section 16(1)(e) of the Act

This report refers to the Education Review Office (ERO)'s review of the school undertaken in 2015, which was published in 2016 and is available from its website, at:
ero.govt.nz/review-reports/al-madinah-school-09-06-2016.

During the review, complaints were made to ERO regarding matters that fell outside ERO's review scope to investigate. As a consequence, ERO suspended the review process. The Ministry commissioned an independent investigation of the complaints. ERO's investigation was completed in November 2015. ERO returned to the school in March 2016 to complete the review process.

Summary

The Board nominated its Chair and Deputy Chair to investigate issues identified during ERO's on site visit.

The report investigated issues around the funding of the school, as well as certain employment issues, and other matters related to the everyday governance of the school.

School staff members were invited to discuss issues identified during ERO's visit, and were assured that discussions would be confidential.

The majority of school staff stated they were not aware of allegations around the school's financial reporting or its use of funds.

The reports states that the majority of staff did not identify any concerns with the job being done by the Principal, and that staff did not present evidence of further employment issues.

The report identifies other matters of potential concern such as the appointment of persons related to the Principal, the procurement of school uniforms and work undertaken for the Principal by non-teaching staff outside of school hours. The majority of staff interviewed did not identify any concerns or raise any allegations of improper conduct.

The report also discusses seven matters more closely connected to the everyday management of the school:

- three matters related to the general administration of the school
- two matters related to school staffing; and
- two matters relating to the general conduct of staff members.

The report makes two recommendations:

- a further investigation within six months to assess if the required actions have been undertaken; and
- a teacher representative be appointed to the Board.