



Handwritten notes in blue ink: "HSDU 16/12"

memo

To: Katrina Casey, Deputy Secretary, Sector Enablement and Support
From: Kathleen Atkins, Regional Director, Sector Enablement and Support Central North
Date: 13 December 2013 **File:** IO26/03/1905/5
Subject: Request to Appoint a Limited Statutory Manager for the Pukemiro School Board of Trustees (1905)

Purpose

1. This report asks you to direct the Group Manager, Sector Enablement and Support to appoint a Limited Statutory Manager (LSM) for the Board of Trustees of Pukemiro School (the Board), under section 78M of the Education Act 1989 (the Act) because of the risks to the educational performance of its students and operation of the school.
2. I recommend the powers of employment; finance, board systems and processes; and curriculum management be vested with the LSM.

Background

3. In June 2010 the Education Review Office (ERO) report recommended that the Secretary for Education (the Secretary) consider a statutory intervention for Pukemiro School. The Ministry decided that non statutory support would be provided to address the concerns identified in the 2010 ERO report.
4. On 30 September 2013 the ERO report recommended that the Secretary consider intervention under Part 7A of the Education Act 1989 to bring about improvements in:
 - Governance;
 - professional leadership;
 - the use of student achievement information to implement targeted teaching programmes; and
 - moderation processes to support National Standards judgements.
5. The Ministry has investigated the presented risks and checked other areas of possible risk to the educational performance of its students, including student achievement and the school charter, the welfare of its students, and stand downs and suspensions. The risks to the operation of the school were investigated, including the school's ability to manage its finances and employment.

Justification for the Intervention

6. The Ministry has outlined the following risk areas:

Risk Areas to Address	Evidence of Risk (a number are drawn from the ERO report September 2013)
<u>Educational Performance:</u>	
<ul style="list-style-type: none"> Absence of adequate policies and procedures for monitoring improved student progress, achievement and engagement. 	<ul style="list-style-type: none"> Staff members are not part of an effective ongoing plan for school development or improving student engagement and there is little sense of a whole staff approach to teaching and learning. The Principal does not regularly report to the Board on progress towards meeting the school's annual targets for student engagement and achievement. The school-wide assessment cycle lacks consistency when reviewing progress and achievement against goals and targets, including in relation to National Standards. Teachers have a range of information about student achievement from testing and overall teacher judgements but this information is not being used consistently across the school to plan for individual students' learning needs. The attendance data from the school indicates a low rate of overall attendance with some students at critically low levels. There is no evidence of a consistently applied attendance policy or procedures. The Special Education Adviser to the school identifies that the Principal and staff are failing to follow agreed student individual educational plans.
<ul style="list-style-type: none"> Inadequate curriculum management. 	<ul style="list-style-type: none"> The school's curriculum is not localised and is not explicitly linked to raising student achievement. The flexibility of <i>The New Zealand Curriculum</i> is not being realised.

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School Operation:

- Employment management.

- The current Principal appraisal system is ineffective. There is little evidence of appraisal goals being linked to professional leadership, classroom teaching, and leadership for learning. There is also no emphasis on the school-wide focus of overseeing special education implementation plans.
- There is little evidence of implementation of the recommendations from the 2012 independent Principal appraisal – focussed on supporting effective teaching and continuous improvement in student achievement.
- The teacher appraisal system requires strengthening as there is no linkage between appraisal goals, classroom observations and monitoring processes to student progress and achievement.
- Currently, 45% of the school's operations budget is spent on non-teaching personnel when 39% is considered a sustainable level.
- The Board does not have a robust staff appointment process.

- Financial management

- The school has overused banking staffing in 2012 and 2013 to the value of \$69,000. With operational funding in 2013 at \$139,000 the percentage owing for banking staffing has put the school heavily at risk.
- Working capital was only \$26,000 at the end of 2012.
- In 2013 the school funded at no charge to users a school bus totalling \$52,000. This is a significant portion of total operational funding.
- The Board and management team have little experience with financial management and procedures and are no longer using an external financial service provider.

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	<ul style="list-style-type: none"> • There is significant variance in the annual school accounts from the approved annual budget.
<ul style="list-style-type: none"> • Inadequate Board Systems and processes such as planning and reporting, complaint management and self-review. 	<ul style="list-style-type: none"> • There is no induction package for new board members. The Board does not have defined roles and responsibilities. • There is limited evidence of Board procedures that provide for effective school management and governance through self review. • The Board displays little understanding of the expectation of governance or their contribution towards student achievement.

7. I am recommending a LSM under section 78M for the following reasons:

- A non-statutory approach using Board Tailored Training and Support which focussed on governance and management has not been successful in leading to sustainable practice.
- Student Achievement Function (SAF) support was provided throughout 2011 and 2012. Although an exit action plan was agreed and signed off, the planned actions were not implemented effectively.
- Despite the Principal and teachers accessing professional development, this has not been transferred into teaching practices or deliberate acts of teaching for identifiable improvement in student achievement.
- A lower level intervention is not appropriate as guidance similar to this has been provided recently with little effect. A lower level of intervention would not provide the direction and influence necessary to address the identified risks.
- This level of intervention is considered appropriate because I believe the Board and Principal have the capability to work with the LSM to facilitate a return to full self governance and have shown a commitment to undertake this.

8. The Pukemiro School profile and background information is attached as Appendix 1.

Statutory Powers

9. To ensure that the above risks are addressed and resolved, it is suggested that the powers of employment; finance; board systems and processes; and curriculum management of the Board be vested with the LSM.

10. You have the authority under section 78M of the Education Act 1989 to vest powers of the Board in a LSM. The *New Zealand Gazette* notice to vest the functions, powers and duties of the Board with the LSM is attached for your signature.

11. The Group Manager of Education, Curriculum and Performance will then proceed to appoint a LSM.

Board Systems and Processes	
<ul style="list-style-type: none"> Regularly monitor (at least once a term) its performance against its goals to continually improve student progress, achievement and engagement. Ensure its strategic planning processes are informed by appropriate student progress and achievement data and information. 	<ul style="list-style-type: none"> Develop an action plan with the Board that provides for effective school management and governance through ongoing self review. Support the Board with comprehensive training so they are aware of the expectations of governance, with a clear focus on their role in raising student achievement. Ensure the Board receives monthly reports from the Principal on progress (based on evidence) towards meeting the school's annual targets of student engagement and achievement.

- The LSM will scope the risks and develop a plan within four weeks. The plan will outline specific actions to return the school to self-governance.
- The LSM will report monthly to the Ministry. The Ministry will track progress against the plan and work with the appointee to ensure the tasks are completed or agree to amendments if the risks at the school change.
- The Secretary, or his delegate, will review the intervention within twelve months. When they are satisfied that the Board can govern the school they may recommend that you revoke the intervention. You may revoke the intervention when you are satisfied the appointment of the LSM is no longer required. The powers vested in the LSM will then be returned to the Board.

Risks

- Appointing a LSM may create risks. The Ministry has carried out a risk analysis and considered possible mitigations which are identified in the following table.

Potential risks if intervening	Mitigation Strategy
Loss of mana for the Board	The Board supports the intervention and will continue to be encouraged to see the appointment of a LSM as a positive step towards full self governance.
The school's reputation in the community may be damaged which could impact on student enrolments.	The Board (with input from the LSM) will develop a communication strategy indicating the expected benefits of the intervention for student engagement and achievement.
Staff may view the intervention as criticism of their teaching and be reluctant to change their practice.	Consultation with the staff, students and community on the strategic direction of the school will help ensure staff are prepared and supported to change their practice to benefit student achievement.

- If this intervention is not approved the following risks will exist:
 - Teaching practices that do not meet the need for accelerated progress and achievement for priority students.

Role of the LSM

12. The LSM will carry out the tasks below to return the school to full self-governance.

Tasks	Specific Actions
<p>Employment</p> <ul style="list-style-type: none"> Appraise the Principal to support effective teaching and continuous improvement in student progress and achievement. 	<ul style="list-style-type: none"> Develop and implement an appraisal process for all staff to improve teaching, and student engagement and achievement. Establish a robust Principal performance agreement and appraisal process which is explicitly linked to student achievement. Review the support staff structure currently utilised and implement recommendations from this review.
<p>Curriculum and Assessment</p> <ul style="list-style-type: none"> Allocate and monitor its resources effectively to support effective teaching and continuous improvement in student progress and achievement. 	<ul style="list-style-type: none"> Establish positive relationships with whānau and the wider community in order to determine the curriculum focus for the future. Review the curriculum to ensure improved teaching programmes (focussed on strategies that will accelerate student progress in reading, writing and mathematics) are developed based on The New Zealand Curriculum, reflecting the goals of Ka Hikitia and meeting the current and future needs of students and the community. Raise expectations and document teaching and learning processes to promote consistent and effective practice, including regular, targeted professional learning and development. Ensure strategic planning processes are informed by appropriate student progress and achievement data and information, incorporating valid teacher judgements against National Standards. Develop and implement a system for the monitoring and timely follow up of student absences.
<p>Financial</p> <ul style="list-style-type: none"> Manage the effective business operations of the Board to comply with legislation relating to financial management. 	<ul style="list-style-type: none"> Review and monitor financial systems and processes and ensure resources are focussed on raising student achievement, consistent with the school charter's strategic direction. Establish and manage a budget that accounts for the current banking staffing debt and provides the school with a strong working capital.

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Appendix 1 School Profile

1. Pukemiro School is a decile 2 full primary state school in the North-West Waikato.
2. The July 2013 roll was 50 students comprising 43 Māori (86.0%), 1 Pasifika (2.0%), and 6 NZ European/ Pākehā (12.0%) students. Over the last five years, the roll has fluctuated between 17 and 50 students, with a low of 17 students in 2010. The staffing entitlement is 3.60 full time teacher equivalents.

Student Achievement

3. National Standards data indicates that student achievement (primarily Māori students) is generally at a good level; approximately 80% of students are at or above the standard in all National Standard areas. However, the Education Review Office (ERO) report recommended teachers seek guidance to develop robust moderating processes in relation to the National Standards.

Additional Information

4. ERO reviewed the school on 30 September 2013 and intends to carry out another review over the course of one-to-two-years. ERO recommended that the Secretary of Education consider intervention under section 78 of The Education Act (1989). The intervention was recommended to support governance, professional leadership, the use of student achievement information to implement targeted teaching programmes and moderation processes to support National Standards judgements.
5. Pukemiro School has had four ERO reviews since 2008. The previous ERO report identified concerns about aspects of teaching practice and the implementation of National Standards, and recommended support for the Principal in leading improvement in these areas. Since 2011, the school has received support from a Student Achievement Function Practitioner. Teachers have also received external support in teaching literacy.
6. The Senior Financial Adviser met with the Board on 6 November 2013 and recommended that finance be an additional power of the LSM as she has identified there are financial management issues at the school.
7. The school roll has increased rapidly since 2010 with the majority of students travelling by bus from outside the transport entitlement zone. The Ministry is working with the Board to implement a school enrolment scheme.
8. The school did not request any Professional Learning and Development support from the Ministry for 2014.
9. The school is currently receiving support from the Ministry through a second year of the "Reading Together" programme and 0.1 FTTE Reading Recovery hours for half a year.
10. In 2013, Tailored Training and Support (TTaS) was provided to the Board of Trustees with a focus on Board member training on roles and responsibilities, and governance and management including the place of self review that supports student achievement. The Education Review Office was aware of this training when writing their report.

- Limited knowledge of roles and responsibilities of each member of the Board, contributing to ineffective governance.
- Financial decline will result in the school being unable to offer a balanced curriculum that meets the needs of students and impacts on student achievement.

Consultation

18. The Ministry discussed the proposed support with the Pukemiro School Board of Trustees on 30 September 2013.
19. As a result of these discussions, the Board supports this proposed intervention because they are relatively inexperienced and indicates a willingness to work with a LSM who could up skill them.
20. The Ministry has met with representatives from the New Zealand School Trustees Association and New Zealand Educational Institute to update them on the proposed intervention. Both representatives were supportive of this proposal.


Recommendations

We recommend that you:

- a. **agree** to direct the Group Manager to appoint a Limited Statutory Manager, under section 78M of the Education Act 1989, for the Pukemiro School Board of Trustees.

AGREE / DISAGREE

- b. **sign** the attached *New Zealand Gazette* notice.


Katrina Casey

Deputy Secretary, Sector Enablement and Support
Ministry of Education

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NOTICE FOR NEW ZEALAND GAZETTE

Notice of Direction to Appoint a Limited Statutory Manager for the Board of Trustees of Pukemiro School (1905).


Under section 78M of the Education Act 1989, I direct the Group Manager, Sector Enablement and Support to appoint a Limited Statutory Manager for the Pukemiro School Board of Trustees.

The following functions, powers and duties of the Board are to be vested in a Limited Statutory Manager:

- All functions, powers and duties of the board as an employer (whether statutory or otherwise)
- All functions, powers and duties of the board to manage financial operations (whether statutory or otherwise)
- All functions, powers and duties of the board to establish procedures and processes (whether statutory or otherwise) for school-wide self review.
- All functions, powers and duties of the board in curriculum management including teaching and assessment practices (whether statutory or otherwise)

Dated at Wellington this 17th day of December 2013.

This notice takes effect on the day of publication.


Katrina Casey

**Deputy Secretary, Sector Enablement and Support
Ministry of Education**

memo

To: Marilyn Scott, Group Manager, Sector Enablement and Support
From: Kathleen Atkins, Regional Director, Sector Enablement and Support
 Central North
Date: 16 December 2013 **File:** IO26/03/1905/5
Subject: **Appoint a Limited Statutory Manager for Pukemiro School Board of Trustees**

Purpose

11. This memorandum advises that on 16 December 2013 the Deputy Secretary directed you to appoint a Limited Statutory Manager (LSM) for the Pukemiro School Board of Trustees (Board) because of risks to the educational performance and the operation of the school.

Background

12. You have the delegated authority under section 78M of the Education Act 1989 to appoint a LSM. The attached memo outlines the justification for intervening to support the Pukemiro School and the powers vested with the LSM (Appendix 1).

Appointee Selection

13. An effective LSM for Pukemiro School Board (1905) should have:
- a thorough knowledge of governance roles and responsibilities;
 - the ability to control the management of the school through a professional relationship with the principal;
 - the ability to provide strategic direction to the school through a professional relationship with the community, the Board and the Principal;
 - current and sound primary school curriculum knowledge;
 - understanding of effective assessment practice and data analysis related to National Standards;
 - knowledge and experience of effective employment and financial issues;
 - understanding of Board processes, policies and systems;
 - skills in developing relationships between the school and a predominantly Māori community.
14. Possible appointees and their résumés are attached as Appendix 2.
15. Phillip Straw is the preferred appointee as the LSM for the Pukemiro School Board of Trustees. Phillip has indicated that he has the capacity, skills and knowledge to take on this role. As an ex-principal of Huntly Primary School Phillip has mana in the area and firsthand knowledge of the students, their whānau and the environment. He has strong personnel and financial management skills and is experienced in effective school governance. His previous role as Tokoroa Intermediate Principal has further

strengthened his depth of knowledge with board processes and systems. His present role as a Resource Teacher of Learning and Behaviour shows the depth of his knowledge with not only the curriculum and assessment data but also with student behaviour management. His counselling background gives him strong and effective facilitation skills with professionals and community members.

Recommendations

21. It is recommended that you:

- a. **note** that the Deputy Secretary directed you to appoint a Limited Statutory Manager for the Pukemiro School Board of Trustees, under section 78M of the Education Act 1989 because of risks to the educational performance of its students, and the operation of the school.
- b. **agree** to appoint Phillip Straw as the Limited Statutory Manager;

AGREE / DISAGREE

- c. **sign** the attached letters informing the Chairperson of Pukemiro School Board of Trustees and Phillip Straw, as the Limited Statutory Manager, of the Deputy Secretary's decision.


Marilyn Scott
Acting Group Manager
Sector Enablement and Support

18/12/13

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18 December 2013

National Office

45-47 Pipitea Street, Thorndon
PO Box 1666
Wellington
New Zealand

Phone: 04 463 8000
Fax: 04 463 8001
www.minedu.govt.nz

Moana Kaihe
Chairperson
Board of Trustee
Pukemiro School
Community Mail Box A
Pukemiro

Tēnā koe Moana

I understand that 9(2)(a) and Freda Wilson from the Ministry of Education (the Ministry) have met with your Board of Trustees (Board) to discuss the current difficulties facing the Board.

The Deputy Secretary for Sector Enablement and Support has directed me to appoint a Limited Statutory Manager (LSM), as requested by the Education Review Office, because of the risk to the educational performance, and the operation of the school. The Ministry identified the following risks:

- absence of adequate policies and procedures for monitoring improved student progress, achievement and engagement;
- inadequate curriculum management;
- inadequate board systems and processes such as schools planning and reporting and self review;
- employment management; and
- financial management.

These issues need to be addressed quickly and effectively. As the Secretary's delegate I have appointed Phillip Straw to the role of LSM with the powers of employment, curriculum management, finance and Board systems and processes. Phillip, as an ex-primary and intermediate principal, has the experience, knowledge and skills to lead the board in these matters. His present role as a Resource Teacher of Learning and Behaviour has further strengthened his curriculum knowledge and behaviour management of students.

This letter and attachments should be retained as part of the Board's records. The attachments set out tasks for this intervention, and the Memorandum of Understanding (MOU) between the LSM and the Ministry of Education. The MOU covers the details of this specific intervention and:

- the role of the LSM and his relationship with the Board;
- reporting requirements, including the scoping report within four weeks;
- the role of the Ministry and the relationship between the LSM and the Ministry;
- the payment of the LSM's fees and expenses by the Board;
- an estimate of the hours to complete the tasks for the intervention; and
- an exit from statutory intervention.

Funding: Under s78M(5) your school is required to meet the cost of the statutory appointee.

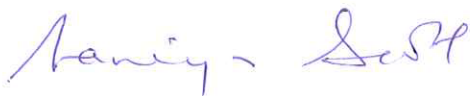
9(2)(a)

The Ministry of Education Senior Adviser, 9(2)(a) will introduce the LSM to you and the Principal, and will continue to work with you to measure progress of the intervention and assess any further action and support that may be required.

Information about interventions can be found on the Ministry of Education's website at www.minedu.govt.nz/Boards/SupportForBoards/InterventionsInSchools/KITs.

As you are aware, it is important that the Board develops the skills, capability and processes to ensure it can provide high quality education for students at Pukemiro School. With the assistance of Phillip Straw, I am confident that the Board will make significant progress.

Nāku noa nā



Marilyn Scott
Acting Group Manager
Sector Enablement and Support

cc Ms Linda Tomuli, Principal Pukemiro School
Mr Phillip Straw
Local Education Review Office
Office of the Auditor General
NZSTA

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18 December 2013

National Office

45-47 Pipitea Street, Thorndon
PO Box 1666
Wellington
New Zealand

Phone: 04 463 8000
Fax: 04 463 8001
www.minedu.govt.nz

Mr Phillip Straw

9(2)(a)

Tēnā koe Phillip

The Deputy Secretary, Regional Operations has directed me to appoint a Limited Statutory Manager for Pukemiro School Board of Trustees because of the risk to the educational performance, and the operation of the school.

I am appointing you as a LSM for the Pukemiro School Board of Trustees (the Board) with effect from the date of this letter. The Ministry identified the following risks:

- absence of adequate policies and procedures for monitoring improved student progress, achievement and engagement;
- inadequate curriculum management;
- inadequate board systems and processes such as schools planning and reporting, and self review;
- employment management; and
- financial management.

These issues need to be addressed quickly and effectively so that the progress in meeting the Board's strategic goals and the educational outcomes for its students is not compromised. The tasks for this intervention are attached as Appendix 1.

To ensure that the above risks are addressed and resolved, you have been appointed with specific functions, powers and duties of the Board as outlined in the attached copy of the *New Zealand Gazette* notice. I also enclose a copy of my letter to Ms Moana Kaihe, the Chairperson of the Pukemiro School Board of Trustees, informing her of your appointment.

The attachments set out the tasks for this intervention. Your working arrangements are defined in the Memorandum of Understanding (MOU) between you and Charles Rolleston, Manager of the Ministry's Hamilton office. The MOU covers the details of this specific intervention and:

- the role of the LSM and your relationship with the Board;
- reporting requirements, including the scoping report within four weeks;
- the role of the Ministry and the relationship between the LSM and the Ministry;
- the payment of your fees and expenses by the Board;
- an estimate of the hours to complete the tasks for the intervention; and
- an exit from statutory intervention.

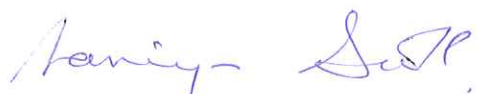
The New Zealand School Trustees Association is contracted to provide information to boards about regulatory and legislative changes, including information about progress in negotiating collective agreements. To receive this information you should email

cdavies@nzsta.org.nz to be included in its mailing list. Please ensure that you have read and signed the attached MOU before commencing your statutory role.

9(2)(a) [REDACTED], Senior Adviser of the Ministry's Hamilton office will contact you soon in order to complete and sign the MOU, and to introduce you to the Board and the Principal.

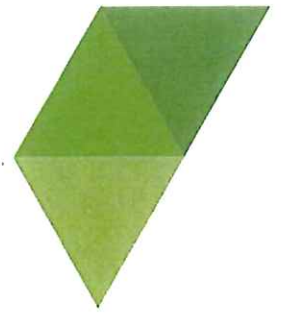
Thank you for your willingness to accept this appointment.

Nāku noa nā



Marilyn Scott
Acting Group Manager
Sector Enablement and Support

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Appendix 1

MEMO

To: Katrina Casey, Deputy Secretary, Sector Enablement and Support
From: Paula Rawiri, Director of Education, Waikato
Date: 19 April 2016
Subject: Request to Revoke the Notice of Direction to Appoint a Limited Statutory Manager under Section 78M of the Education Act 1989 for the Pukemiro Primary School Board of Trustees (1905)

Purpose

1. This report asks you to revoke the notice of direction to appoint a Limited Statutory Manager (LSM), under section 78M(7) of the Education Act 1989 (the Act) for the Pukemiro Primary School Board of Trustees (the Board) and sign the attached New Zealand Gazette notice and letters to the Board Chairperson and the LSM.

Background

2. On 13 December 2013, Phillip Straw was appointed as the Limited Statutory Manager (LSM) for the Board because of serious risks to the operation of the school and the educational performance of its students.
3. The LSM was appointed with the powers of employment, finance, school-wide self-review and curriculum management including teaching and assessment practices.
4. A non-statutory approach using the Board Tailored Training and Support which focussed on Governance and Management had not been successful in leading to sustainable practice.
 - Student Achievement Function (SAF) support was provided throughout 2011 and 2012. Although an exit action plan was agreed and signed off, the planned actions were not implemented effectively.
 - Despite the Principal and teachers accessing professional development, this was not being transferred into teaching practices or deliberate acts of teaching for identifiable improvement in student achievement.
 - A lower level intervention was not appropriate as guidance similar to this had been provided in the past with little effect. A lower level of intervention would not provide the direction and influence necessary to address the identified risks.
5. The school's profile information is attached as Appendix 1.

Justification to Revoke

- 6. As one of the Secretary's delegates, I have reviewed the intervention under section 78R of the Act and considered the risks to the operation of the school and the educational performance of its students. Significant progress has been made towards the governance outcomes sought and this level of intervention is no longer required.
- 7. Evidence from meeting with the LSM and reviewing the powers vested with the LSM report and discussions with the Senior Financial Adviser, Special Education Adviser, newly appointed Principal and Board Chairperson shows that the tasks of the intervention have been completed and significant progress has been made. A summary of the review findings is attached as Appendix 2.

Statutory Powers

- 8. You have the delegated authority to revoke the notice of direction to appoint a LSM under section 78M(7) of the Act if you are satisfied that the appointment of the LSM is no longer required.
- 9. If you are satisfied that the appointment is no longer required a *New Zealand Gazette* notice is attached for your signature.

Risks (include if appropriate)

- 10. Revoking the LSM may create risks. The Ministry of Education (Ministry) has carried out a risk analysis and considered possible mitigations below.

Potential Risks	Mitigation Strategy
<ul style="list-style-type: none">• New Board members unprepared for roles and responsibilities.	<ul style="list-style-type: none">• NZSTA tailored support after the 2016 Board elections to ensure the incoming Board Chairperson and members receive induction into their new roles and responsibilities.

- 11. If the intervention is not revoked the following risks will exist:
 - The Board recognised the need for the LSM intervention and has worked with commitment and rigour to remedy and restore operations to the school and student achievement to a very effective level. To question the ability of the 'newly' appointed Board Chairperson, 'newly' appointed Principal and staff to govern and manage the school would be detrimental to the progress and achievement to date.

Consultation

- 12. We have consulted with the LSM, Board, new Principal, Ministry staff working in the school and the Education Review Office. The school is scheduled for a full Education Review in Term Two 2016.

13. The First Time Principal Mentor and the Leadership and Assessment facilitator will continue to support the Principal throughout the year as per their current contracts. In addition the Ministry's Senior Adviser and Senior Financial Adviser will meet on a regular basis with the Board and Principal in regarding the school's financial budget.

Recommendation

14. I recommend that you:

- a. **agree** to revoke the notice of direction to appoint a Limited Statutory Manager for the Pukemiro Primary School Board of Trustees under section 78M(7) of the Education Act 1989;

AGREE / DISAGREE

- b. **sign** the attached *New Zealand Gazette* notice;
- c. **sign** the attached letters informing the Chairperson of the Pukemiro Primary School Board of Trustees and the Limited Statutory Manager of your decision.

(*electronic sign-off in SIMS*)

Paula Rawiri
Director of Education, Waikato
1/04/2016


Katrina Casey
Deputy Secretary
Sector Enablement and Support

19/04/2016

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Appendix 1

School Profile

1. Pukemiro School is a decile 2 full primary state school in the North-West Waikato.
2. The July 2015 roll was 52 students comprising 49 Māori (94.2%), 1 Pasifika (1.9%), and 2 NZ European/Pākehā (3.8%) learners. There is a decline in the 2016 roll to 43 students. Over the last five years, the roll has fluctuated between 17 and 59 learners, with a low of 17 students in 2010.

The Ministry in 2014 worked with the Board to implement a school enrolment scheme.

Learner Achievement

3. National Standards data indicates that student achievement (primarily Māori students) is generally at a good level; approximately 80% of students are at or above the standard in all National Standard areas. However, the Education Review Office (ERO) report recommended teachers seek guidance to develop robust moderating processes in relation to the National Standards.

Additional Information

4. ERO reviewed the school on 30 September 2013 and is visiting the school once a term. ERO recommended that the Secretary of Education consider intervention under section 78 of the Education Act 1989. The intervention was recommended to support governance, professional leadership, the use of student achievement information to implement targeted teaching programmes and moderation processes to support National Standards judgements. The next ERO review is scheduled for Term two 2016.
5. Pukemiro School has had four ERO reviews since 2008. The previous ERO report identified concerns about aspects of teaching practice and the implementation of National Standards, and recommended support for the Principal in leading improvement in these areas. Since 2011, the school has received support from a Student Achievement Function Practitioner. Teachers have also received external support in teaching literacy.
6. The Senior Financial Adviser meets with the LSM and Board once a term. It was at her recommendation that finance be an additional power of the LSM as she had identified there were financial management issues at the school.
7. The school did not request any Professional Learning and Development support from the Ministry for 2014 but under guidance of the Senior Adviser they have received the Leadership and Assessment and Learning Technologies training.
8. The school is currently receiving support from the Ministry through a second year of the "Reading Together" programme and 0.1 FTTE Reading Recovery hours for half a year.
9. In 2013, Tailored Training and Support (TTaS) was provided to the Board of Trustees with a focus on roles and responsibilities, and governance and

management including the place of self-review that supports student achievement. ERO was aware of this training when writing their report.

Released under the Official Information Act 1982

Appendix 2: Pukemiro Primary School

Risk Areas to Address	Current Position	Where to next
<p><u>Educational Performance:</u></p>		
<ul style="list-style-type: none"> Absence of adequate policies and procedures for monitoring improved learner progress, achievement and engagement. 	<ul style="list-style-type: none"> The appointment of the new Principal has resulted in a cultural change across the school focused on improving student engagement and achievement. There is consistency of expectation and practice being developed. There is a new a Board of Trustees framework in place that sets a programme for reporting across the year. The Principal and Board are aware of the requirements in this area. The new Principal has started positively in this area. The new Principal has reviewed the school-wide assessment cycle that was developed during intervention. The reviewed cycle has been accepted and adopted. Teachers now have this information and the new Principal is monitoring the use of data in classrooms through regular walk-throughs and by providing feedback to teachers through one-to-one meetings and weekly staff 	<ul style="list-style-type: none"> Principal supported through First time Principal Mentoring (Jill Lund) and PLD (Ruth Foulks, Te Toi Tupu). This support is adequate. Mentor working with new Principal to ensure systems and processes continue. Monitor as per above. Monitor as per above. This is included in 2016 Principal and staff appraisals. There are still issues with the student management system being used and the school is investigating effective alternative systems to the current provider. Continue to work as is with the Special Education Adviser.

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	<p>communication.</p> <ul style="list-style-type: none"> • Attendance policy and procedures are now in place and are being consistently applied. • Special Education Adviser reports that plans are being followed adequately and there is appropriate engagement of the school in developing and implementing these plans. 	
<ul style="list-style-type: none"> • Inadequate curriculum management 	<ul style="list-style-type: none"> • A localised curriculum is being implemented as a result of PLD. This curriculum is being reviewed in an on-going manner to ensure its relevance to NZC. 	<ul style="list-style-type: none"> • On-going self-review.
<p><u>School Operation:</u></p>		
<ul style="list-style-type: none"> • Employment management. 	<ul style="list-style-type: none"> • Principal performance agreements based on the NZSTA model have been developed and implemented. Outside contractors have been and will continue to be used in this area. • 2014 Appraisal resulted in a process of support and guidance. NZEI, NZSTA and LSM support the Board and Principal. Principal resigned position. 2016 new appointee. • New system has been developed that links appraisal goals, practising teacher criteria, interim professional standards, cultural competencies to teaching as inquiry with a focus on using data to improve student achievement. 	<ul style="list-style-type: none"> • Outside contractor for 2016/17 appointed. • The moving forward documents as relevant in this column to be included as part of the Principal's appraisal review. • As per above. • New Principal to review and refine current systems to improve manageability and student achievement. • On-going review by Principal and the Board will ensure the current low levels of non-teaching personnel are meeting the needs of the school. • Board and Principal to monitor their adherence to their policy and procedures.

	<ul style="list-style-type: none"> • Spending in this area has been reduced to below 35% which is sustainable. • The Board has adopted an operational framework that provides for robust processes in this area. 	
<ul style="list-style-type: none"> • Financial management. 	<ul style="list-style-type: none"> • With the assistance and regular meetings with the Senior Financial Adviser the school has completely repaid Banked Staffing debts. • Due to repayment of debt as above, working capital is approximately \$10K at the end of 2015. • Puke Coal own the bus and cover all costs related to its running. In 2015 the bus driver donated his time. • At the recommendation of the Senior Financial Advisor, an external financial provider has been appointed. • New Principal and new Board Chairperson with LSM have developed a budget which has been approved by the Board. 	<ul style="list-style-type: none"> • Board and Management to closely monitor banked staffing. All Novopay reports to be signed by Principal and Chairperson. • Systematic plan to increase working capital over coming years to be monitored by Principal and Board Chair and overseen by Senior Adviser and Senior Financial Adviser. • The Board has accepted there will be some reimbursement to the driver but all other costs are still with Puke Coal. The Board needs to have a plan on the costs associated with the bus in case of future repercussions. There is a need to have a reserve on hand to run the bus for the next year in the event of Puke Coal circumstances changing. • Working with the external Provider the Board and Principal are investigating a change to the financial package used internally. • Performance of school against the approved budget to be monitored by the Board monthly in an on-going manner throughout the year. The Board has appointed a Board member to take on this responsibility.

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<ul style="list-style-type: none"> Inadequate Board Systems and processes such as planning and reporting, complaint management and self-review. 	<ul style="list-style-type: none"> All new Board members have attended "Welcome Aboard" facilitated by the LSM. The Board has in place a framework which defines their roles and responsibilities. A three-year programme of self-review included in the Board's framework. The LSM worked continuously with the Board to increase this understanding. This professional development along with personnel changes have increased the Board's capability in this area. 	<ul style="list-style-type: none"> The Board Chair will monitor that Board members are using the policies and procedures as agreed within the framework. The Board Chair will ensure that any new Board members receive appropriate professional development through NZSTA. The Board Chair will request on-site development from NZSTA following the 2016 elections. This will entail a scoping report of Board learning needs. Board Chair and Principal will ensure that the annual work plan for self-review is adhered to. In November each year adjustments will be made to the work plan for the following. The Board continues to develop a professional development plan to ensure that this understanding is reinforced and all new Board members are encouraged to be involved in professional development.
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Possible Statutory Appointees

1. The Ministry has approached two possible appointees who have expressed a willingness to act in this capacity and are considered to be suitable for the position. Résumés of Phillip Straw and 9(2)(a) follow:

2. **Phillip Straw**

As a former principal of both Tokoroa Intermediate and Huntly Primary schools, Phillip has in-depth knowledge, understanding and practical solutions for predominantly Māori communities. He has had a strong involvement with students with special learning needs when in the roles of teacher, principal, Resource Teacher of Reading, Resource Teacher of Learning and Behaviour and on moderation committees for ORRS resourcing and Truancy services.

Phillip has practical experience in financial consultation and management to meet budgeted requirements. As a principal and former Board of Trustees member he has used a range of methods to conduct effective self reviews of school governance, policy writing and behaviour management.

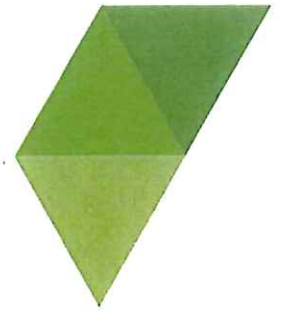
When in the roles of principal and New Zealand Educational Institute councillor, Phillip was involved in the investigation and facilitation of conflict resolution, employment policy and performance review procedures.

With a strong knowledge of the New Zealand Curriculum and the understanding that student data must inform teaching practice to raise student achievement, Phillip has worked alongside and in the capacity of leader, in curriculum development initiatives both within his own and cluster schools.

3. 9(2)(a)

9(2)(a) was principal of 9(2)(a) for 14 years. During that time she successfully demonstrated professional leadership within the college and amongst the principals of schools in the area. As a principal she focussed on building relationships, interpersonal communication and conflict resolution. In recent years she has worked locally as a board trainer. She has been effective as a Limited Statutory Manager (LSM) at 9(2)(a) School and 9(2)(a) School. Currently she has the role of LSM at two primary schools, 9(2)(a) and 9(2)(a) School. Her role as LSM at 9(2)(a) School is currently being considered for revocation as all outcomes have been met with the Board now able to function independently.

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MEMO

To: Katrina Casey, Deputy Secretary, Sector Enablement and Support
From: Paula Rawiri, Director of Education, Waikato
Date: 19 April 2016
Subject: Request to Revoke the Notice of Direction to Appoint a Limited Statutory Manager under Section 78M of the Education Act 1989 for the Pukemiro Primary School Board of Trustees (1905)

Purpose

1. This report asks you to revoke the notice of direction to appoint a Limited Statutory Manager (LSM), under section 78M(7) of the Education Act 1989 (the Act) for the Pukemiro Primary School Board of Trustees (the Board) and sign the attached New Zealand Gazette notice and letters to the Board Chairperson and the LSM.

Background

2. On 13 December 2013, Phillip Straw was appointed as the Limited Statutory Manager (LSM) for the Board because of serious risks to the operation of the school and the educational performance of its students.
3. The LSM was appointed with the powers of employment, finance, school-wide self-review and curriculum management including teaching and assessment practices.
4. A non-statutory approach using the Board Tailored Training and Support which focussed on Governance and Management had not been successful in leading to sustainable practice.
 - Student Achievement Function (SAF) support was provided throughout 2011 and 2012. Although an exit action plan was agreed and signed off, the planned actions were not implemented effectively.
 - Despite the Principal and teachers accessing professional development, this was not being transferred into teaching practices or deliberate acts of teaching for identifiable improvement in student achievement.
 - A lower level intervention was not appropriate as guidance similar to this had been provided in the past with little effect. A lower level of intervention would not provide the direction and influence necessary to address the identified risks.
5. The school's profile information is attached as Appendix 1.

Justification to Revoke

- 6. As one of the Secretary's delegates, I have reviewed the intervention under section 78R of the Act and considered the risks to the operation of the school and the educational performance of its students. Significant progress has been made towards the governance outcomes sought and this level of intervention is no longer required.
- 7. Evidence from meeting with the LSM and reviewing the powers vested with the LSM report and discussions with the Senior Financial Adviser, Special Education Adviser, newly appointed Principal and Board Chairperson shows that the tasks of the intervention have been completed and significant progress has been made. A summary of the review findings is attached as Appendix 2.

Statutory Powers

- 8. You have the delegated authority to revoke the notice of direction to appoint a LSM under section 78M(7) of the Act if you are satisfied that the appointment of the LSM is no longer required.
- 9. If you are satisfied that the appointment is no longer required a *New Zealand Gazette* notice is attached for your signature.

Risks (include if appropriate)

- 10. Revoking the LSM may create risks. The Ministry of Education (Ministry) has carried out a risk analysis and considered possible mitigations below.

Potential Risks	Mitigation Strategy
<ul style="list-style-type: none">• New Board members unprepared for roles and responsibilities.	<ul style="list-style-type: none">• NZSTA tailored support after the 2016 Board elections to ensure the incoming Board Chairperson and members receive induction into their new roles and responsibilities.

- 11. If the intervention is not revoked the following risks will exist:
 - The Board recognised the need for the LSM intervention and has worked with commitment and rigour to remedy and restore operations to the school and student achievement to a very effective level. To question the ability of the 'newly' appointed Board Chairperson, 'newly' appointed Principal and staff to govern and manage the school would be detrimental to the progress and achievement to date.

Consultation

- 12. We have consulted with the LSM, Board, new Principal, Ministry staff working in the school and the Education Review Office. The school is scheduled for a full Education Review in Term Two 2016.

13. The First Time Principal Mentor and the Leadership and Assessment facilitator will continue to support the Principal throughout the year as per their current contracts. In addition the Ministry's Senior Adviser and Senior Financial Adviser will meet on a regular basis with the Board and Principal in regarding the school's financial budget.

Recommendation

14. I recommend that you:

- a. **agree** to revoke the notice of direction to appoint a Limited Statutory Manager for the Pukemiro Primary School Board of Trustees under section 78M(7) of the Education Act 1989;

AGREE / DISAGREE

- b. **sign** the attached *New Zealand Gazette* notice;
- c. **sign** the attached letters informing the Chairperson of the Pukemiro Primary School Board of Trustees and the Limited Statutory Manager of your decision.

(*electronic sign-off in SIMS*)

Paula Rawiri
Director of Education, Waikato
1/04/2016


Katrina Casey
Deputy Secretary
Sector Enablement and Support

19/04/2016

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Appendix 1

School Profile

1. Pukemiro School is a decile 2 full primary state school in the North-West Waikato.
2. The July 2015 roll was 52 students comprising 49 Māori (94.2%), 1 Pasifika (1.9%), and 2 NZ European/Pākehā (3.8%) learners. There is a decline in the 2016 roll to 43 students. Over the last five years, the roll has fluctuated between 17 and 59 learners, with a low of 17 students in 2010.

The Ministry in 2014 worked with the Board to implement a school enrolment scheme.

Learner Achievement

3. National Standards data indicates that student achievement (primarily Māori students) is generally at a good level; approximately 80% of students are at or above the standard in all National Standard areas. However, the Education Review Office (ERO) report recommended teachers seek guidance to develop robust moderating processes in relation to the National Standards.

Additional Information

4. ERO reviewed the school on 30 September 2013 and is visiting the school once a term. ERO recommended that the Secretary of Education consider intervention under section 78 of the Education Act 1989. The intervention was recommended to support governance, professional leadership, the use of student achievement information to implement targeted teaching programmes and moderation processes to support National Standards judgements. The next ERO review is scheduled for Term two 2016.
5. Pukemiro School has had four ERO reviews since 2008. The previous ERO report identified concerns about aspects of teaching practice and the implementation of National Standards, and recommended support for the Principal in leading improvement in these areas. Since 2011, the school has received support from a Student Achievement Function Practitioner. Teachers have also received external support in teaching literacy.
6. The Senior Financial Adviser meets with the LSM and Board once a term. It was at her recommendation that finance be an additional power of the LSM as she had identified there were financial management issues at the school.
7. The school did not request any Professional Learning and Development support from the Ministry for 2014 but under guidance of the Senior Adviser they have received the Leadership and Assessment and Learning Technologies training.
8. The school is currently receiving support from the Ministry through a second year of the "Reading Together" programme and 0.1 FTTE Reading Recovery hours for half a year.
9. In 2013, Tailored Training and Support (TTaS) was provided to the Board of Trustees with a focus on roles and responsibilities, and governance and

management including the place of self-review that supports student achievement. ERO was aware of this training when writing their report.

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Appendix 2: Pukemiro Primary School

Risk Areas to Address	Current Position	Where to next
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NOTICE FOR NEW ZEALAND GAZETTE

Revocation of Notice of Direction to Appoint a Limited Statutory Manager for the Board of Trustees of Pukemiro Primary School (1905)

Under section 78M(7) of the Education Act 1989, (acting under delegated authority) I revoke the notice of direction to appoint a limited statutory manager for the Pukemiro Primary School Board of Trustees (as published in the *New Zealand Gazette*, 19 December 2013, No 172, page 4702).

This notice takes effect the day of publication.

Dated at Wellington this 19th day of April 2016.



KATRINA CASEY
Deputy Secretary for Education, Sector Enablement and Support
Ministry of Education

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