



**St**  
**PATRICK'S**  
CATHOLIC SCHOOL

By email: [fyi-request-21867-fd760a25@requests.fyi.org.nz](mailto:fyi-request-21867-fd760a25@requests.fyi.org.nz)

03 April 2023

Dear requester,

**Reconsidering our initial response to your first request and your subsequent information request.**

1. We refer to your email correspondence of 26 March, 12.01am to the presiding member of St Patrick's School Board, and for ease include our response to your second request made under the Official Information Act 1982 (**Act**), received 26 March 11pm in the principal's inbox.
2. In your first email correspondence on 26 March, you ask for us to point out "exactly" where you can find our policy information, express that the online link provided doesn't work and that the information does not meet your expectations of receipt.
3. You express dissatisfaction with the board's response, in that you point out the in-committee minutes, "information not written down" and concerns and complaints are subject to a request made under the Act. You would like us to release this information, redacting if necessary.
4. In our understanding of the Act, we agree that such information can be requested. The Board remain seriously concerned in respect of any release of information to you as it does not know who it may be releasing the information to. Your assumption that we accept you are a citizen by releasing our complaints register for the time requested is not an acceptance, rather a release of information that is publicly available within the scope of your request.
5. The Office of the Ombudsman suggests that a requester can provide assurance of their citizenship privately to a staff member. You are therefore welcome to contact the presiding member directly using the email you already have with the evidence providing such assurance.
6. Furthermore, we disagree with your opinion that the use of a "FYI" email address is irrelevant. We reiterate that by using this address the contents of this letter including any information released will be immediately and permanently catapulted into the public arena. It is also the reason why the Board choose not to use your name in our response to you as we are concerned for your own privacy interests on such a public website.
7. The Board received an additional request from you for information on the 26 March 2023 at 11pm. In this email you state your belief that the requested information is of public interest because it relates to the maintenance of the integration agreement between the State and a Catholic School, and the interest to "local Catholics who want to support the education of Catholic students in their region."

8. You ask for the position descriptions and person specifications at the time of employment for the positions of principal, deputy principal(s) and the Director of Religious Studies (DRS) for St Patrick's Catholic School, Te Awamutu.
9. Under the Act you request board meeting minutes for Jan-March 2023, including any special board meetings in 2023 and information written or otherwise of any subcommittees or "working groups" established in response to community complaints since November 2022.
10. You request any school policies relating to staff or board members who are in a reporting relationship.
11. You also request information under the Act of the board's policies or practices when an employee doesn't meet the special character requirement of their position, specifically by an employee's commitment to a same-sex marriage or relationship. You seek what steps the board would take addressing a teacher in this scenario.
12. You would also like to know whether there have been any situations in the last six months when the board have enacted the policies and procedures you request information on around employees in same-sex relationships and upholding special character.
13. The release of information to a person who the board has no visibility of, alongside the immediate release of any information into the public arena, are factors the board has given weight to in its decision-making process.
14. To factor into our consideration of your requests is that the board's complaints policy sets the expectations for any complainants that their concerns or complaints will be "treated in a highly confidential manner". We also consider the board's responsibility as employers to maintain and support good working relationships with our employees, who have a right to have any employment matters kept confidential. These factors weigh heavily on us in our decision-making process.
15. The board look at your current request (26 March, 11pm) and reconsider the response to your original request (17 February) under the principle of availability in section 5 of the Official Information Act (**Act**). We use the guides of the Ombudsman's office to assist us in considering your request, including looking at how we can release confidential information and the public interest worksheet in determining the level of public interest against the need to withhold private information.

**Decision:**

16. In accordance with the Official Information Act 1982, the board have approached your requests under the principle of availability and then given due consideration as to whether there would be good reason to withhold it. The Board sets out its decision as follows:
  - a) **School Policies:** We consider a link to a publicly available website to be adequate and in electronic form. We provide information in **Appendix A** to help you.
  - b) The Board has reviewed your request considering your expressed dissatisfaction with our response to your request dated 17 February. Other than the information provided in this letter, the Board uphold their previous response.

- c) **The public interest:** We have assessed the relative strengths of the privacy interest and the public interest in release and consider the public interest in release of information concerning complaints and in committee information does not outweigh the need to withhold this information to protect the privacy of natural persons under section 9(2)(a) of the Act.

We believe the publicly available process for any family to visit the school through first contacting the school/principal, is an acceptable process that gives each family the freedom to assess for themselves whether the school is right for their child's educational needs and requirements, including in relation to Catholic special character.

The school itself is subject to a Special Character Review that is a thorough and regular process conducted by a team from the Diocese. The process and outcome are transparent, culminating in a report that is publicly available.

- d) **Position descriptions at time of appointment:** for the DRS, Principal and Deputy Principals. Please find the documents provided in the application pack at the time of their appointments in **Annex A** with redactions. The redactions are names of individuals or schools irrelevant to your request, ie, they are not staff, complainants, or our school. Please note, these documents may not meet your expectations of the information you are after but rightly or wrongly, they were the documents used at the time.
- e) **Board minutes:** Board meetings and any subcommittee minutes from January, February, and March 2023:
- i. Our board meeting minutes are uploaded to our website after they have been approved as a true and correct record in the subsequent board meeting. Our 1st March meeting minutes are now available on the school website. <https://www.stpatta.co.nz/about-us/our-school-board>
  - ii. **Board in-committee meeting minutes:** the Board has searched its records from within the last eight months and is withholding the information as it considers it is necessary to protect the privacy of natural persons under section 9(2)(a) of the Act. The Board considers the need to protect the privacy and privacy interests of its employees and any complainants outweighs the public interest in disclosure of the information.
- f) **Board subcommittee minutes/briefs/notes/reports etc:** All subcommittee (committee) reports/information (public or public-excluded) within the dates you request are presented as attached documents of the board meeting (for example the Property Report). There is no separate process. If there is a specific report of the public meeting you would like to see, please indicate by referencing the meeting date of the minutes it was tabled in.
- We withhold any information held in the public-excluded business (in-committee) during board meetings as per our decision in 16(e)(ii).
- g) **In relation to the above, any information not written down:** As the request is in relation to in-committee (public-excluded) information, the board would likely

withhold to protect the privacy of natural persons under 9(2)(a). Even to provide this material the Board would need to create information which would require the application of complex skill, judgement or interpretation and board members with reliable and working memory. If the Board was required to create this information, it would comprise substantial collation as contemplated by s18(f).

- h) **School or Board policies in respect of relationships:** between staff or board members who are in a reporting relationship.
- i. The Board has made copies of its policies available on the school website and has previously provided you with a link to the documents.
  - ii. The Board is currently working on a conflicts of interest policy for staff, which may relate to your request for information. This will be uploaded on our website when it is in final form and approved by the Board, expected by middle of term 2.
- i) **Board's policies or practices when an employee doesn't uphold special character by having an alignment to a same-sex marriage/relationship, and what steps the board would take in addressing such matters with a teacher:**
- i. This request makes a specific assumption of special character that may be better addressed by the Church as guided by our Pope.
  - ii. The board/school has nothing specific to the information requested and therefore under section 18(e) of the Act refuses namely because the document(s) requested do not exist.
  - iii. For any concern raised in relation to an employee, the board would generally seek advice in the first instance from New Zealand School Trustees Association and follow its Complaints Policy.
- j) **Any situations in the last 6 months where the board have enacted these policies/procedures:** The policies/procedures you are referencing don't exist. The board and principal have followed their general policy directions over the last six months on many board matters, including their complaints policy.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely,  
St Patrick's Catholic School Board

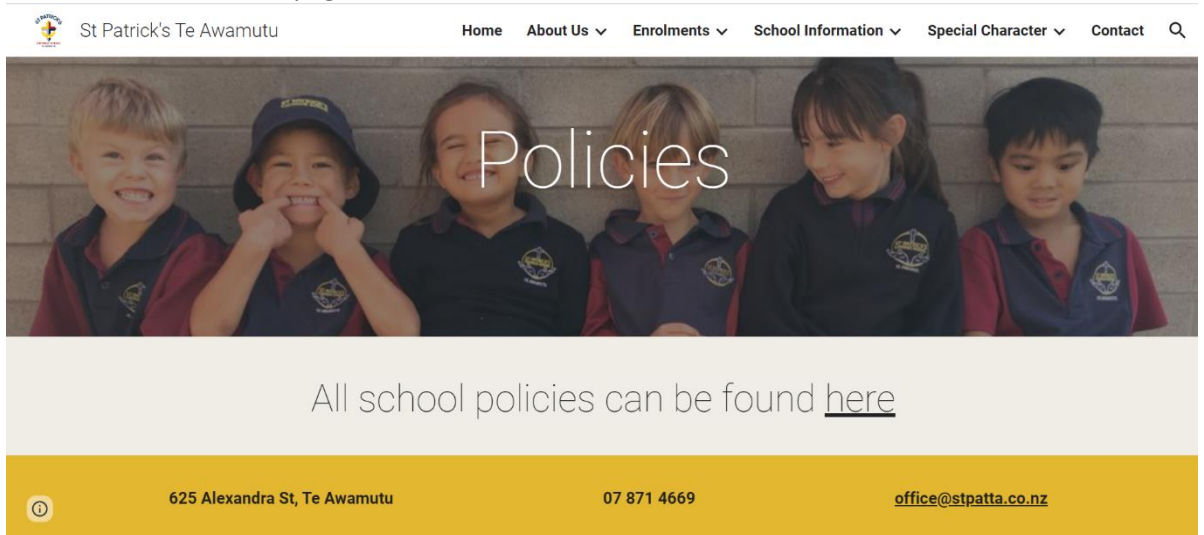
## Appendix A.

### Accessing school policies:

We attach again for you the link to our policies: <https://www.stpatta.co.nz/school-information/policies>.

We have checked this link and it works however, you might find it easier to copy and paste the link directly into your browser.

1. The link will lead to this page:



2. Click on “[here](#)”, which will then take you to this page, select the dropdown menu in the right-hand corner labelled “Home”. All policies sit under this menu.



## Policies

Click on the home tab above to view our school policies.

3. We have checked the provided link in this letter, checked each of the above steps through different users and browsers and confirm that our policies are accessible this way. An alternative method for accessing them is to go through the front page of our website: <https://www.stpatta.co.nz/home>, (you can type this straight into your browser), select the dropdown tab “School Information”, then select “Policies”.