

15th February 2023.

National Parents Council Post Primary (NPCPP) wish to thank Governance Ireland (GI) for the copy of their draft review report and the opportunity to comment and respond to it.

We hope and trust that our comments, in full, will be published with the final review report in the interest of balance, fact and fairness.

Executive summary:

- NPCPP did not refuse to engage with a fair, balanced review. NPCPP expressed the view to DoE, on a number of occasions, that this governance review did not meet criteria which were agreed with DoE in May 2022. NPCPP was more than happy, and remains willing, to comply with any independent review that meets those criteria.
- The Minister has to date declined our invitation to sit down for a meeting with NPCPP since being appointed and, in that time, DoE has also refused to listen to, look at or discuss the findings of NPCPP's extensive research with parents and parent bodies of schools from all sectors and geographical regions or the success in implementing the first stages of a 5-year plan to grow stakeholder representation and engagement and to strengthen the company's governance structure.
- It would appear that the reviewer was likewise uninformed about these changes, fatally compromising the accuracy of this review.
- The reviewer appears not to have engaged with the full range of stakeholders and was therefore uninformed about positive stakeholder engagement with the company.
- DoE, without explanation, has delayed and refused funding to NPCPP on several occasions over the last years, without justification. This has had a serious impact on the company's ability to function and demonstrates a negative agenda on behalf of DoE. Therefore these delays should also have been included in any fair and independent review.

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- For all the above reasons, details of which are in the response below, this review cannot be objectively viewed as fair, balanced, or accurate.

NPCPP has never refused to participate in a properly conducted governance review.

At a meeting at the end of May 2022, the DoE indicated that NPCPP agreement would be required on the terms of reference for any review, the stakeholders to be included in the review and the appointment of any reviewer. These agreed steps were neither observed nor followed by the DoE.

The DoE officials also assured the NPCPP representatives at that meeting that the review would also not affect their funding of NPCPP, which has also proven not to be the case.

The draft terms of reference presented by the DOE varied significantly from discussions at that meeting and therefore, quite reasonably, required considered consultation by the Board of NPCPP with the company's professional advisors.

NPCPP have finite resources and rely heavily upon the goodwill, generosity and support of volunteers to ensure that an effective and professional service is provided.

This document was sent to NPCPP in June, at the height of the Summer holiday period when there would, obviously, be some difficulty in getting NPCPP advisors and volunteer Directors together to consider the content.

July and August also see all NPCPP volunteers and staff with a very extensive workload each year in organising the major annual event, NPCPP Leaving Certificate Helpline, normally held in August.

Following the required consultations with professional advisors, NPCPP communicated a number of concerns and questions to the DOE only to be informed that the reviewer had already been appointed.

Post the meeting with the DoE at the end of May 2022, NPCPP was never informed that a tendering or selection process had been commenced and NPCPP was never canvassed as to actual or perceived conflicts of interest in respect of any proposed reviewer.

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Immediately NPCPP became aware of the fact that GI had been chosen to conduct the review, it raised serious concerns about various aspects of the process and review with the DoE but all remain ignored, unanswered and unaddressed.

Given this lack of due process, the withholding of funding (prior to any review), and the refusal by DoE officials to be properly informed about NPCPP, it cannot be the case that any reviewer would have been properly prepared and, therefore, any expectation that such a review would be based on actual and up-to-date facts or be properly independent can be completely ruled out.

By way of background to our response to the draft review, NPCPP wishes to have it noted very clearly that NPCPP have always had a sit-down meeting with the Minister for Education of the day at least once a year but, despite numerous requests to so meet with the current Minister, all requests have been denied to date.

Apart from the disappointing failure on behalf of the current Minister to meet with NPCPP, relations with the DoE have become strained for reasons unknown to us.

At the only meeting in the last three years with the DoE, purportedly called to introduce the new Secretary General and to discuss NPCPP activities, the DoE officials at that meeting stated that they did not wish to see, hear or discuss NPCPP's 5-year Development plan or the progress that had been made under it over the first year of its implementation. Nor would they discuss the repeated withholding and delaying of funding to NPCPP by the DoE from the beginning of the COVID-19 era. In fact, at the time of that meeting no funds at all had been passed to NPCPP in 2022.

Despite having confirmed core funding for that year to NPCPP in April no funds whatsoever were transferred to the Company until August - that only following the suggestion that promotion of the annual NPCPP Leaving Certificate Helpline in 2022 could not include reference or photographs indicating support by the DoE.

In fact, by the end of 2022, less than 50% of the indicated funding for that year was transferred.

This spasmodic and delayed funding was quite clearly intended to have, and indeed has had, a negative affect on the Company's ability to function normally.

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The resulting stress on volunteer Directors and the additional unpaid workload required of them to manage the Company, to meet the monthly wage bill of the paid staff and to try to reassure the secretariat about the security of their jobs was, and remains, intense.

Added to this and the Summer of the extensive activity preparing for the Annual LC Helpline, the pressure to properly consider and clarify Terms of Reference for any review within an unreasonable timeframe was unwarranted and completely unfair.

Despite the apparent efforts of the DoE to control and hamper our service as the established representative body of post primary parents, NPCPP have participated fully in all consultations, during COVID and since, to assist with management of Ireland's education system through some extremely difficult times.

The non-funding of NPCPP had a crucial and negative impact on the Company's ability to function and develop. This must be recognised.

Any analysis of the company's finances must consider the resulting implications and this factor, raised by the NPCPP representatives at the meeting in May, was to be, and should be included in any independent review.

Confidentiality statement

It is noted that Governance Ireland acknowledge that this review is limited indicating on page 1 that the report *"does not affirm all significant matters relating to the Governance and Financial arrangements of the NPCPP"*.

Project timeline – to date

The report states that the reviewer was selected by the DoE on 19th August.

Therefore, Terms of Reference had not been agreed and NPCPP was not consulted on the choice of reviewer. At this date a number of significant questions and concerns identified by NPCPP remained unanswered. These matters alone raise serious questions which must be answered by the DoE:

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1. What tendering process was utilised?
2. Why was NPCPP not advised as to who the potential candidates were so that any potential conflicts of interest could be dealt with at that point?
3. Why was the reviewer selected and contracted before Terms of Reference had been agreed.

Reasonable consideration of the above points, without a number of others which could be readily identified, along with the time of year chosen as indicated, demonstrates that inadequate time and consideration was given to NPCPP and others in the preparations for the review.

Overall Opinion

NPCPP agree that the need for a strong, professional, representative organisation for Parents and Guardians of students in the Irish post primary school system is very clear. That is at the core of all NPCPP decisions and activities.

In relation to governance, there is a requirement of NPCPP as stated in:

- The Education Act 1998 – “..a body of persons established by parents..” which should be “..established and organised on a national basis and has a membership distributed over a substantial part of the State..”
- The NPCPP Memos and Articles where: “The main object for which the Company is established is to advance education and the general well-being of young people within the post-primary education system by involving parents and legal guardians actively in all aspects of the education of their children and by providing a forum that actively supports them in their parenting role.”

These requirements of NPCPP are taken extremely seriously by the board of directors. The Company analyses the services requested and delivered and makes changes as and when they are needed.

In response to anecdotal evidence that communications and interaction with parents/guardians and school parent bodies was minimal and ineffective under the Constituency Body structure in

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NATIONAL PARENTS COUNCIL
Post Primary
COMHAIRLE NAISIÚNTA TUISMITHEOIRI
Iarbhuncoideachas

Unit 6, Building 125
OMNI Park Centre
Santry
Dublin 9
D09 W3Y9
Tel: 01 862 33 46
email: manager@npcpp.ie
www.npcpp.ie

place at the company, NPCPP carried out research nationally and across all traditional school sectors to establish the facts around this.

The results of the 2021 NPCPP Parent Connectivity Survey (attached herewith) demonstrate that 78% of parents did not know of the 'Constituency Body' supposedly representing them, 60% of parents wanted more direct personal interaction with NPCPP and 78% of parents wanted NPCPP to communicate directly to them or to their school's parent body.

Diversity in society and education has changed dramatically since the turn of the century. New school sectors had also emerged (eg. Educate Together, Gaelcholáistí) and it was clear that the traditional structure in place at NPCPP was excluding many parents/guardians of post primary students and was not sufficiently recognising or representing the vast majority of families. Geographically there were large tracts of the population that were also not engaged.

To ensure good governance in relation to delivery of the Company's core purpose and main object, a new more relevant and democratic structure was required.

Having consulted with representatives across all school and cultural sectors together with other stakeholders in education the board of NPCPP made the decision to restructure the organisation to mirror many other stakeholders involved and to address the shortcomings in representation identified.

The new structure includes the 4 traditional 'bodies' and 10 regions (based on geography, cognisant of representation of each sector and the number of schools in each region).

The new structure also ensures that previous disruption of NPCPP activity caused by way of pursuit of individual or sectoral agendas and enabled by the 'direct nomination' to the board of the company from constituent bodies can no longer occur.

The NPCPP board adopted a 5-year Development plan in 2021 in response clear evidence of the changes needed.

All decisions taken, particularly those involving adjustments to the memos and articles, followed legal consultation with the Company's solicitors and a registered barrister at law to ensure adherence to the main and subsidiary objects stated in the NPCPP Constitution.

The purpose of the company is maintained.

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By year end 2022, registration of school PA's with NPCPP had risen by 225%.

Approaching 400 post primary school PA's have now signed up and registered and 40% of ETB regions are engaged directly with NPCPP. These numbers continue to increase and currently schools from every single county across the country are now registered with NPCPP.

Thousands of post primary parents/guardians have also registered individually with the company.

It is a fact that NPCPP now represents vastly more schools and parents than it ever has done previously.

A breakdown of schools now registered from the 'traditional' sectors shows: 42% of CSSPA schools; 47% of ETB schools; 68% PACCS schools; 65% COMPASS schools alongside 72% of other schools.

Moreover, the suggestion that “..the board as currently composed, could not be a body fully representing the entire Post Primary Schools Parents Associations network..” is completely incorrect.

The current board comprises of directors originating from all 4 traditional sectors together with additional independent directors to ensure balance and inclusion of parents/guardians previously not catered for.

In fact the 'Board Composition' reported later in the review confirms these facts. The suggestion that the current board is not fully representative is contradictory.

These verifiable facts directly contradict the opinion expressed in the draft report and suggest that *“..those with whom..”* the reviewer *“..engaged..”* did not include any of those parents/guardians or school parent bodies now registered with NPCPP.

That being the case, it is difficult to see how non-engagement with the 60%+ of the post primary parent population now actually registered and active within NPCPP can possibly produce any independent, fair or balanced reflection or review.

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Summary of Key Findings and Observations

Website Content and Communications

The NPCPP website serves as an information tool primarily. It provides general information and signposts.

A number of social media platforms and other communication tools and conduits are also used under the guidance of experienced outreach experts to disperse information and to maximise coverage and effectiveness.

Most assistance and support is offered and provided through personal interaction and engagement.

Given that every school in Ireland is autonomous and every parent/guardian and school parent body is therefore different direct communication and dialogue is the only feasible way to assist parents in need.

NPCPP has a secretariat of 6 people engaged to assist parents/guardians and school PA's, to inform the company and board.

This secretariat is supported by additional professionals with expertise as required.

NPCPP has more than 20 representatives embedded and engaged across education, health and youth affair forums.

Together, all of these personnel inform the company, the considerations and the decisions of the board to ensure effective research, consultation and representation.

Governance Framework

The current NPCPP constitution, submitted and registered with the CRA and other relevant authorities when and as required, governs the company's operation and function.

Whilst never changing the purpose or adjusting the main object of the company any changes made to the constitution have been adopted, following correct procedure and with the guidance of the company's legal advisors, to facilitate effective delivery of NPCPP's mandate.

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As already highlighted, the previous structure based around constituency bodies was extremely ineffective and historically problematic.

The new structure addresses these issues and ensures that the destructive issues previously experienced cannot recur.

Financial Review

Comments relating are in a file attached where all queries raised are answered in full.

Stakeholder engagement

The list of stakeholders, including recent board members, to whom the reviewer “reached out” is unknown.

The extensive engagement that NPCPP now has with parents/guardians and school parent bodies across the four traditional sectors (constituencies) indicates that both ETBsNPA and CSSPA referred to in the review are organisations comprising of only a small few people. Our regular enquiries about interaction with these groups indicates that they remain exclusive and rarely engage with any of the parents/guardians or PA’s in their sectors.

NPCPP also point out that not one of the nominating bodies, none of the individual parents and none of the school parent bodies registered with NPCPP have been contacted or spoken with by the reviewer.

This clearly indicates that any feedback or report emanating from the review cannot be balanced, fair or deemed independent.

Recommendations

Having stated at the start of this draft report that the review is “..limited in scope and does not affirm all significant matters relating to the Governance and Financial arrangements of the NPCPP..”

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together with the inaccuracies of the initial briefing it cannot be reasonable to make any recommendations.

Based on out of date and erroneous information, incorrect assumptions and lack of awareness of the facts outlined above, which the review failed to uncover by way of reasonable research or fair outreach, it is disingenuous to suggest that this report is, in any way, a fair reflection of the actual situation.

Background

NPCPP does not have any issue with an informed, fair and independent review or the DoE's right to request one.

However, where DoE officials and the minister have declined NPCPP any opportunity of a meeting to inform and update officials on the company's activities and when any effort to discuss NPCPP's development has been responded to by way of outright refusal to hear, see or discuss NPCPP plans and progress any review instigated solely by the DoE cannot be correctly or fully informed and therefore could never be deemed to be fair, unbiased or independent.

The Scope Terms of Reference

Despite the DoE's stated commitment to NPCPP's agreement in the preparation of the terms of reference and selection of reviewer the DoE ultimately denied NPCPP of any input or voice in the preparations for a review or selection of reviewer.

Mode of working of the review/Methodology

As has been stated above, the planning and preparation were less than adequate, rushed and factually misinformed due to the absence of consultation with NPCPP on the terms and scope of the review and the refusal of the DoE to discuss or be informed about developments at NPCPP over the previous 2 years.

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It is evident that suggested meetings indicated took place with an extremely limited number of those listed.

As already indicated, not one of the 50%+ PA's registered with NPCPP was approached or met with and knowledge of the current structure was unknown. Neither were the extent of the current services delivered investigated.

The conclusions reached in the resulting review therefore contain a completely distorted picture which cannot be relied upon and, so, the results can only be described as an inaccurate review.

The NPCPP

NPCPP is the umbrella group for Parents Associations in the post primary section of the Irish Education System.

No other body or organisation is engaged at any equivalent level with parents/guardians of students in post-primary education or post primary school parent bodies or has such qualitative experience with a similar broad span of stakeholders in the Irish education system.

NPCPP Board is representative of all sectors and parents/guardians and school parent bodies. The Directors have been democratically elected and have put in place a structure to ensure that a truly robust democratic and professional process of representation exists now and into the future.

With the current and growing level of support and engagement, NPCPP is committed to remaining, and will remain, the democratic voice and advocate of post primary parents regardless of any efforts made to control or stifle the company.

Key Findings

Observations, NPCPP Services for Parents

Some of the findings here are accurate but much of the review in this section is understandably limited due to misinformation at the briefing stage and a misguided focus on static information.

As indicated, NPCPP is a vibrant and active company. Most of the services provided by NPCPP are by way of interactive activities and engagement.

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Apparently, due to lack of consultation with registered members of NPCPP, that engagement was not, and for the reasons as heretofore mentioned, could not be, explored by the reviewer and was therefore not reflected in this review.

Communications and Social Media

The disingenuous referral to NPCPP social media – in particular the suggested negative tone of social media comment - is responded to by our experienced outreach and communication advisors who monitor and oversee all related online activity. Comments relating to this section are in a file attached.

Suggested Reform Proposals

The suggestion here that:

“there appears to be little support for the current NPCPP Board nor the strategy and direction it is seeking to impose on the organisation” is an outrageous suggestion and indicates a complete lack of any substantial research or engagement.

NPCPP is somewhat astounded and disappointed with this comment bearing in mind the methodologies utilised by the reviewer to reach such conclusion.

Figures already outlined in the comments demonstrate the overwhelming levels of support from those NPCPP is founded and tasked to represent – and with whom the reviewer obviously did not engage at all.

The board and company is clearly delivering “its fundamental founding objects” better than it ever has before and are committed to doing so in the future.

The “coherence within the strategy” of NPCPP is clearly demonstrated by the level of registration now, but never before experienced, by school PAs nationwide and from all sectors.

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Even minimal effort to investigate or establish the facts around this would reveal the inaccuracy of such a suggestion as that made here.

This again points to an utterly biased and far from independent or fair review.

Conclusions

Where fact, rather than fiction or misinformation, is applied almost every aspect of this review can be rebutted.

With even minimal research or fair, reasonable and balanced outreach many of the misleading comments could not be made.

Of the conclusions listed:

1. *“That the current NPCPP structure no longer provides a representative National PP Parents Council for ALL PP Parent Schools Associations in Ireland.”*

This comment is based on a structure outlined throughout this review but which no longer exists in NPCPP.

AND

2. That the “..founding structure which requires well-meaning Volunteers from Constituent Bodies to be members of the Company, may have outlived it’s purpose.....”

Both of these matters have already been addressed by the Company and the new structure required to address them included in the NPCPP 5-year development plan.

These are matters that the DOE would have been fully informed about if they had accepted the NPCPP’s invitation to attend meetings.

If the DoE officials or the Minister had not refused to see, hear or discuss plans at NPCPP they, and the reviewer would have been properly informed and know this.

3. It is also true that post primary parents, regardless of their traditional ethos have broadly similar concerns and issues. This is exactly why the NPCPP constitution was adjusted to
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Post Primary
COMHAIRLE NAISIÚNTA TUISMITHÉOIRI
Iarbhunoideachas

Unit 6, Building 125
OMNI Park Centre
Santry
Dublin 9
D09 W3Y9
Tel: 01 862 33 46
email: manager@npcpp.ie
www.npcpp.ie

replace a structure solely dependent on traditional 'constituency bodies' to one which includes such unique concerns but is more democratically reflective of Irish society of today.

4. To suggest that the '*strategic direction as intended within the revised 2021 constitution is not fit for purpose...*' flies in the face of the other conclusions listed indicating that the previous structure was unfit.

If read correctly and not misrepresented, the revised 2021 constitution actually enables the NPCPP structure to be adjusted to facilitate that suggested elsewhere by the reviewer and also ensures that the representation and advocacy for ALL parents/guardians and school parents bodies is included and protected, in perpetuity, from the difficulties and dangers that the previous structure historically caused in NPCPP.

5. It is absolutely not true that "*the current board appears to no longer enjoys the confidence of many key stakeholders*". The company remains deeply embedded and engaged with almost all of the stakeholders involved in post primary education and enjoys mutually respectful relationships and the mutual confidence of all.

Likely through misguidance, it seems apparent that the reviewer engaged only with some stakeholders who may have a specific agenda, possibly against NPCPP.

Any level of reasonable research or conversation with stakeholders across education would lead to a view exactly opposite to that expressed in this review.

NPCPP has received many oral and written expressions of gratitude and confidence from a broad range of stakeholders including many parents/guardians and parent associations.

6. This conclusion is exactly the opposite to actual fact. The current composition of the board is more aligned than ever with the spirit and founding objectives of NPCPP and it is absolutely determined to ensure that these founding objectives are delivered and that deflection from these cores purposes is robustly protected against in the future.
7. Three years ago NPCPP's board put in place independent registered professional experts in Auditing and Law to oversee every aspect of governance within NPCPP. The finances are

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audited quarterly and complete records are submitted annually to the Charity Regulator (CRA) (as required of every charity) and are publicly available there. Legal matters, including any adjustments of the constitution, are also overseen and guided by professionals with extensive experience in Company Law and related matters.

In overall terms, on reading the Conclusions, the refusal of the DoE officials or Minister to listen to, view or discuss NPCPP's development plans over the two years when NPCPP representatives endeavoured to present them demonstrates quite scandalous and unacceptable behaviour. Had those DoE officials permitted such discussion they would have been properly informed and the author of this review may not have been misguided.

It is very clear that the NPCPP Development Plan, now in its second year, is already well advanced in addressing the historic issues and problems suggested when a reviewer is faced with out of date information and stymied by misguided direction.

Next Steps

As outlined throughout our comments above all of the 4 steps indicated are already in motion:

1. NPCPP appreciates the opportunity to correct, refute and comment on the observations.

We do hope that any report emanating will, in its effort to be fair, balanced and truly independent contain our corrections, rebuttals and comments in full.

2. As already pointed out on numerous occasions, discussion on NPCPP's suggested 'shift in direction' has been offered and refused by the DoE on many occasions over the past two years. It is hoped that, following this review, that opportunity will be granted and mutual respect and support between the DoE and NPCPP can be re-established.

NPCPP remains open to positive engagement with the DoE.

3. NPCPP has already realised the necessity to put in place a professional secretariat. As outlined, there are currently 5 people so employed by the company but withholding and delayed payment of core funding by the department over the past two years, particularly when NPCPP were fully participant in the DoE Advisory group, has made that aspect of development particularly difficult. NPCPP is proud and most grateful to the current employees who have had to endure some difficult times but who have remained fully

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committed to the NPCPP mission despite having to face reduced hours and pay at times as a result of the action of the DoE.

4. The DoE has already suspended funding - so doing prior to receipt of this draft review, let alone a final report and despite the assurance to our representatives at the meeting in May that funding for NPCPP would not be dependent on the review.

Given all of the above, it is difficult not to come to the conclusion that decisions made, the ill-informed information on which this review is based and the refusal to engage with NPCPP about its development and progress all point to a singular agenda – to stifle or cripple NPCPP with a view to controlling the voice and representation of post primary parents.

All of this creates, at the very least, an inference that the DoE wish to select who they want to have represent this important cohort of parents/guardians. That is truly a scandal.

The DoE delays and withholding of funding, the apparent reasons behind that and the problems that such action causes for NPCPP should all be a part of any truly independent review of matters at NPCPP.

NPCPP has already investigated, very thoroughly and professionally, a number of options to address some of the historical issues in the company and to ensure delivery of NPCPP's core mission.

These included serious consideration of a possible amalgamation with NPC Primary which, ultimately, was not feasible or acceptable to our board or post primary parents/guardians.

The decision to re-structure the company and to put in place a 5-year development plan was taken following much consideration and with the assistance of numerous experienced professional advisors.

This plan is also being implemented with professional guidance. The positive progress along with the widespread buy-in and support of post-primary school PAs and parents/guardians demonstrates that the correct decision has been taken by the board of NPCPP.

Directors: M. Fanning President, N. Bannister Vice President / Company Secretary, M. O'Shea Chair of Finance, P. Rolston Communications Director, M. O'Mahony Chair of Ed. Policy, M. Lillis, R. Callan, R. Hemeryck, L. Ryan.

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Unit 6, Building 125
OMNI Park Centre
Santry
Dublin 9
D09 W3Y9
Tel: 01 862 33 46
email: manager@npcpp.ie
www.npcpp.ie

Sadly, these progressive steps are being taken without the support of the DoE who have refused to be updated and therefore work with assumptions based on information more than two years old.

The fact that the course of action taken by NPCPP is already delivering some of the suggested advances in this review (which is based on outdated information) also demonstrates that NPCPP is working two years in advance of the information with which the DoE seems to believe to be current.

Hopefully the report from this review, if presented inclusive of our comment, might encourage a change of heart and help to restore due recognition for NPCPP and its complete commitment to professional service, support and representation of post primary parents/guardians and their school PAs.

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