

17 February 2023

Consultation on additional proposals for tranche two of the Early Learning Regulatory Review

We are pleased to provide comment to the Ministry of Education on additional proposals for tranche two of the Early Learning Regulatory Review.

About Te Rito Maioha Early Childhood New Zealand

Te Rito Maioha Early Childhood New Zealand (ECNZ) is an Incorporated Society of members committed to high quality early childhood education for every child. Established in 1963, the organisation is an influential leader in shaping today's early childhood sector through advocacy, policy, tertiary education qualifications and professional development programmes.

We advocate for early childhood education services and the teachers |kaiako who provide education to thousands of infants, toddlers, and children |tamariki. Our members are drawn from a diverse range of community-based, privately-owned, kindergarten and homebased early childhood education services.

Te Rito Maioha is also a registered Private Training Establishment (PTE) with the highest Category One rating for a tertiary provider. We are accredited and approved by New Zealand Qualifications Authority (NZQA) to deliver a range of undergraduate, graduate, and postgraduate qualifications (levels 4-9), including specialist teacher |kaiako education, both nationally and internationally.

We are committed to achieving high-quality teaching and learning by:

increasing teachers' |kaiako knowledge of Te Tiriti o Waitangi and Aotearoa New Zealand's dual cultural heritage;

- providing access to online blended delivery of undergraduate, graduate, and postgraduate tertiary education programmes leading to recognised and approved qualifications;
- promoting quality teaching and leadership through ongoing professional learning and development programmes;
- providing a range of unique resources and services to our members.

General Comments

comment

Proposal 1 – Allowing conditions to be added to a licence

We support the proposed change to the regulations that will allow the Ministry to respond appropriately and in a timely manner if additional compliance issues are identified. This will not only remove ambiguity for services, it will give confidence to those who have made a complaint that the Ministry is investigating and taking action where needed.

We also agree that where a provisional licence is near the end of the 12 month period and new conditions are found that the Secretary can wait until the current provisional licence period ends and then issue a new provisional licence.

However, if any new compliance issues are serious, it is important that this change does not remove the option to move to suspension or cancellation of the licence.

Proposal 2 – Providing a definition of ‘permanently ceased to operate’ for the purpose of cancelling licences

We agree that the regulations should include a definition on permanently ceased to operate and agree with the approach the Ministry has taken with a service having to meet two of the three criteria.

Having the criteria mitigates the risk that a service may “close” in order to avoid regulatory action as the result of a complaint or incident.

We think the three month closure period would be sufficient for providers to make decisions about the future of their service and notify the Ministry of their intentions. In extraordinary situations this may need to be extended so it would be good if there was an allowance in the regulations for the Secretary to extend this if necessary.

Proposal 3 – Providing for temporary service closures

We agree that there is a need for temporary service closures and that the regulations should be amended to formalise the definition of and process of voluntary temporary closures. This will remove any impression that these types of closures are occurring outside the legislation.

With the introduction of network management this will allow the Ministry to monitor these closures more accurately and we agree that it will prevent providers with no intention to reopen their licence from “holding a space” in the network.

We propose that there is a list of conditions set in the regulations that providers need to meet such as premises condition, having sufficient staff etc. These conditions should be noted on the EC3 forms (or there should be a version of the EC3 specifically for services reopening) so services know exactly what they need to do in order to reopen.

Make submission to earlylearning.regulatoryreview@education.govt.nz by 27 February 2023.

Key contact for Te Rito Maioha Early Childhood New Zealand:

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