



# What submitters told the Early Childhood Education Regulatory Review

October | 2024



**Ministry for Regulation  
Te Manatū Waeture**



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# Acknowledgement and Privacy

1. The Ministry for Regulation (the Ministry) acknowledges the time, effort and emotional labour people invested in responding to this review. The dedication and hope people have for New Zealand's youngest children, and for the role early childhood education (ECE) plays in their lives, has been evident in the written submissions, meetings with service providers and representative organisations, visits to early childhood education settings, and forums with teachers.
2. The Ministry has removed the names and other identifying details of individual submitters and regulated parties who have submitted. Illustrative quotes and positions from the submissions of peak bodies, representative organisations and non-government organisations (NGOs) have been attributed. The illustrative quotes used in this document may have been lightly edited for clarity.
3. If you have concerns with how submissions have been reflected, please contact us at [reviews@regulation.govt.nz](mailto:reviews@regulation.govt.nz). Additionally, if you submitted and would like a copy of the personal information we hold about you, or to correct any information that is incorrect, please make a Privacy Act<sup>1</sup> request in writing to: [privacy.officer@regulation.govt.nz](mailto:privacy.officer@regulation.govt.nz).

## Purpose and scope of this report

4. The purpose of this report is to inform the Ministry's Early Childhood Education Regulatory Review (the Review), and report back to submitters what was heard. It is a synthesis of submitters' views and opinions, and therefore will not fully reflect the views from any one submission. It may be contradictory in places, as submitters had differing views on various issues.
5. This report is not the Ministry's view on the ECE regulatory system. The information received through the submissions process is being analysed alongside other sources of evidence and considered against regulatory best practice to inform the Ministry's findings and recommendations.

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<sup>1</sup> The Ministry of Regulation's guide to making Privacy Act requests can be found [here](#).

6. Many of the submissions received by the Review were very detailed, including submissions that either took a line-by-line approach to ECE licencing criteria or made specific comments on the wording of different pieces of secondary legislation. While this report does not reflect all those detailed recommendations, they will be considered by the Ministry as part of its ongoing analysis.
7. Submissions were received on topics that are outside the scope of the Review. This is to be expected with engagement of this type, and where appropriate, the Review will work to provide relevant information to other government agencies. To provide a faithful account of what the Review was told, frequently occurring themes that may be out of scope are included in this report.

## Structure

8. This report is structured into four sections, with eight chapters. The structure is outlined below.
9. **Section one** is the **demand story**, and contains one chapter about what parents, caregivers, families and children want and need from ECE.
10. **Section two** groups **problems and issues** submitters see with the ECE system into five categories, and the solutions they put forward to those issues (most of which were regulatory). This section contains five chapters:
  - a) **The places children go.** What are the problems with the places children go for ECE?
  - b) **Barriers to market entry, expansion and innovation.** Can service providers respond to demand and innovate in ECE?
  - c) **Picture perfect.** What problems do parents and service providers face when accessing information?
  - d) **People who teach and care for children.** What problems do people who work with children face?
  - e) **Prices and funding.** What problems are there with the affordability and government funding of ECE?



11. **Section three** is about the **performance of the government's regulatory interventions** and contains one chapter which provides a summary of whether submitters think current regulatory interventions by the government are solving the problems they see in the system, and if there are any unintended consequences.
12. **Section four** contains one chapter about submitters' reflections, and requests for **what the Ministry should keep in mind** as this Review progresses.

# Terms used in this analysis

13. Where possible, this report quantifies themes and statements made by submitters. This quantification shows the proportion of submitters that made a particular point or responded to a 'select your answer' question in the questionnaires. It does not indicate that other submitters disagreed with the point – they simply did not mention it.
14. The following terms used throughout the report have the following meaning:
  - 'most' means 50% or more ( $50\% \leq x$ )
  - 'many' means between 30% and 50% ( $30\% \leq x < 50\%$ )
  - 'some' means between 12% and 30% ( $12\% \leq x < 30\%$ )
  - 'a few' means less than 12% ( $x < 12\%$ )

## Executive summary

### The Review

15. In early June 2024 the Ministry for Regulation (the Ministry) commenced a review into the regulatory system for early childhood education (the Review). The Review seeks to understand market failures and other problems facing the early childhood education (ECE) market and whether current government intervention through regulation is working to address those failures.
16. Through the course of its consultation period, which ran from early June to mid-September, the Review received over 2,300 formal written submissions, met with over 30 service providers and non-government organisations and visited 15 ECE services of different types, sizes and locations.
17. Through this work, the Review team has learned more about the varied nature of ECE provision in New Zealand, the complex system of regulatory frameworks that govern it, and the passion and dedication of a sector working with most of New Zealand's pre-school age children.

## The Review's engagement

18. The purpose of the Review's engagement was to gather evidence about the current operation of the ECE market – to get a clearer picture about how well it is functioning and where current government interventions are working or falling short.

Specifically, the Review asked questions to elicit information about:

- What problems people saw in the ECE system, market failures and otherwise (question 1 in the Terms of Reference).
- What solutions people saw to those problems, including regulatory solutions (question 2 in the Terms of Reference).
- What the costs and benefits were of the current regulatory system and who those costs and benefits were falling on (question 3 in the Terms of Reference).
- Whether the current regulatory system was working, including the practice of agencies with regulatory functions (question 4 of the Terms of Reference).

19. To do this, the Review needed to engage widely. This included with:

- parents whose needs are met through the provision of ECE and who entrust the education and care of their children into the system;
- service providers who are regulated (and funded) by government;
- people who work in ECE who also experience the day-to-day realities of government regulation; and
- peak bodies and other non-government organisations who represent service providers, or advocate on the behalf of children, teachers and other ECE workers.

20. The Review has now consolidated and analysed all the information received and is taking it forward through various lines of inquiry. Those lines of inquiry will consider multiple sources of data and evidence, and analyse information received through submissions against best practice principles and through engagement with other government agencies.

21. This paper reports on the themes found in submissions, which were received by just under 2,000 individuals, organisations and collectives completing online questionnaires, and a further 500+ free form written submissions. Some of the submissions ran to many pages and contained considerable detail. This paper does not attempt to describe every point made by submitters. Detailed recommendations from submitters are being considered by the Review team.



## Overarching themes from submissions

22. Submissions, supported by direct engagements which mirrored the same themes, reflected considerable consensus among groups, as well as areas of disagreement. While submitters agreed that changes in the ECE regulatory system were needed, submitters had different views about what that change should be.

### **A changed regulatory system**

23. A few submissions imagined new models for ECE in New Zealand as the solution, although what those models looked like varied considerably. Some envisaged a less regulated market, reducing what they saw as unnecessary costs for service providers and increasing the flexibility to respond to parent's and children's needs more effectively. Others said that the ECE settings should be subject to higher minimum standards, that some currently unregulated areas should be regulated and that there should be more regular monitoring of services to ensure the delivery of quality ECE to children.
24. Some submitters said that ECE should be a service fully provided and funded by the government – or there should at least be a fully government provided and funded option that was free to parents.
25. Other submitters saw the implementation of the current regulatory framework as the main issue. They thought that the current primary and secondary legislation were mostly fit for purpose, but it was the additional layers of guidance and how it was interpreted and enforced by the Ministry of Education and Education Review Office that was the main problem.

### **The focus of the Review**

26. Whatever the solution, submitters, both organisations and individuals, said that children's rights and best interests should be paramount. They called for ECE providers to give effect to their obligations under Te Tiriti o Waitangi including upholding commitments to the rights of mokopuna Māori as tangata whenua. These submitters said that all proposed regulatory changes should be assessed against these benchmarks.

27. Submitters also expressed concern about the potential unintended consequences of removing regulation in ECE, including concerns that it could lead to compromising children's health, safety, learning and development.

## Specific themes from submissions

### **Limited options, high cost to parents and a stretched workforce**

28. While parents were generally satisfied with the ECE their children were receiving, they considered this within the context of the current system. They described challenges such as having limited options and not being able to find what they were looking for in an ECE service, services not meeting the standards they wanted for their child, and their children being sick often due to frequent illness outbreaks.
29. Parents and non-government organisations (NGOs) said the cost of ECE in New Zealand was very high, and unaffordable to some. They said that New Zealand had a socio-economic and post-code lottery that dictated the number of options, and number of quality options, parents had to choose from.
30. Parents expressed concern about their children's teachers being too stretched, and about the pressures caused by too much compliance / paperwork calling instead for something akin to 'everything in moderation'. Other parents described current government interventions as appropriate and were concerned that the intent of the Review was to deregulate ECE, which could potentially put children at risk of harm and poor long-term outcomes. This was echoed by other types of submitters, particularly NGOs.
31. Parents thought the current documentation kept about their children was important but wanted the system to find a balance between government having confidence in high-quality service provision and teachers and providers having the flexibility to make professional decisions so their children can thrive.
32. Seeking balance was a theme in submissions from people who worked in ECE and service providers. Most people who worked in ECE portrayed a workforce close to, or already at, burnout. They said they did not have the capacity to do their jobs the way they knew they should be done, and how they were trained to do.

33. Many submitters who work in ECE (who were predominantly qualified teachers) felt they were unable to dedicate the time and attention to children they knew they needed. Most cited reasons such as minimum regulatory standards being too low, high levels of compliance tasks taking up their time, and funding levels (which are out of scope of the Review), as their most significant issues.

### **High volume of requirements and poor implementation**

34. Service providers said the volume of regulatory requirements they had to meet was a challenge. They felt many of the requirements were highly prescriptive, meaning they are unable to put solutions and practice in place they thought were best. A common theme of submissions, including from people who work in ECE and NGOs, was that the volume of requirements was significantly complicated by inconsistent interpretation of regulatory requirements.
35. Most submitters (across all types) said the regulatory framework had been poorly implemented – with some going as far as to say the content of the regulatory framework was fit-for-purpose - and that the entirety of the problem was in its implementation.
36. As well as inconsistent interpretation of requirements by the regulator (the Ministry of Education) and layers of requirements and guidance causing confusion, submitters also described duplication of roles between the Ministry of Education and Education Review Office. These submitters said both agencies unduly focused on ‘tick-box’ requirements over and above the learning, development, and safety of children.
37. An issue talked about almost universally, was the inability of the system to meet the needs of disabled, neurodivergent and medically fragile children. Submitters said these children were either effectively excluded from the system because of service providers not enrolling them, or that they did not have their needs met when a place was found. Parents with a disabled or medically fragile child, or a child with specific needs were more likely to have withdrawn their child from an ECE service.

### **Higher standards, different implementation**

38. While government funding levels were discussed by many submitters (in the context of them being too low and/or the model inequitable), potential solutions put

forward to address the issues raised tended to be regulatory – either by the removal of regulation, or by the introduction of new or different regulation.

39. Some submissions (from service providers and their representative groups) called for substantive regulatory removal, including removing minimum ratios, ‘person responsible’ requirements, and all curriculum requirements. However, more submitters said that minimum regulatory standards in ECE should be raised, and more frequently monitored by government. These submitters said there should be regulatory change to put in place:

- higher adult to child ratios
- lower maximum service size
- regulation for maximum group size
- increased indoor and outdoor space
- requirements to improve air quality and reduce noise
- higher proportions of staff who are qualified ECE teachers.

### Recognition of varied service models

40. Kōhanga Reo, Puna Reo and Pacific services said that English language requirements and a lack of recognition of language fluency and cultural knowledge in regulatory requirements hampered their ability to recruit and retain the staff they needed. Additionally, they said a lack of cultural capability across agencies with regulatory functions meant that the different objectives, including revitalisation of language, were not recognised and responded to appropriately.

41. Home-based service providers said that the regulated qualification requirements meant that they were unable to sustain and grow their services and attributed this to a significant decline in the number of home-based places available.

42. Hospital-based services and Playcentre submitted that the current regulatory framework and its implementation does not sufficiently take into account the different types of service models – saying that the default of centre-based ECE flows through the development and implementation of regulatory settings.



## Next steps

43. It is now the job of the Review to consider these submissions against other sources of evidence and analyse the themes against the Review’s Terms of Reference. Other sources the Review is considering include evidence about regulatory best practice and design, economic analysis, academic research about ECE and engagement with government agencies with regulatory functions across ECE.
44. All of these sources will be used by the Review to answer the Review’s Terms of Reference questions. Namely, to identify the market failures and other problems regulatory intervention are seeking to address, consider the extent to which the current approach is working and where the costs and benefits of regulation are being borne and consider whether regulation is the most appropriate way to address these problems.
45. The Review will report back on its findings and recommendations to the Minister for Regulation before the end of 2024.

## Context and scope of the early childhood education regulatory review

46. The Review commenced on 5 June 2024 with Cabinet approval of its Terms of Reference and is taking a five-phase process to its work, which is shown in diagram one below.

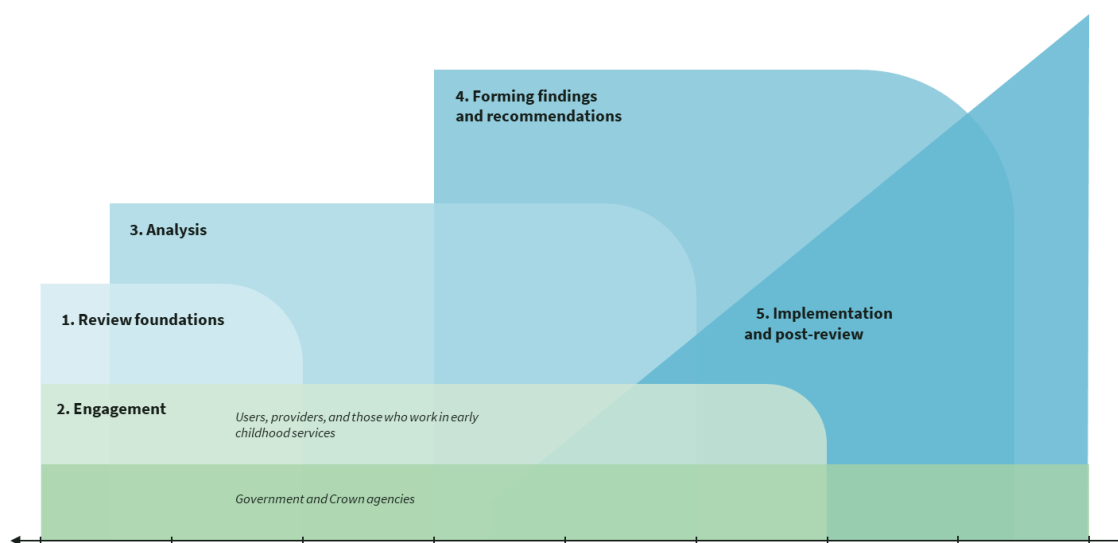


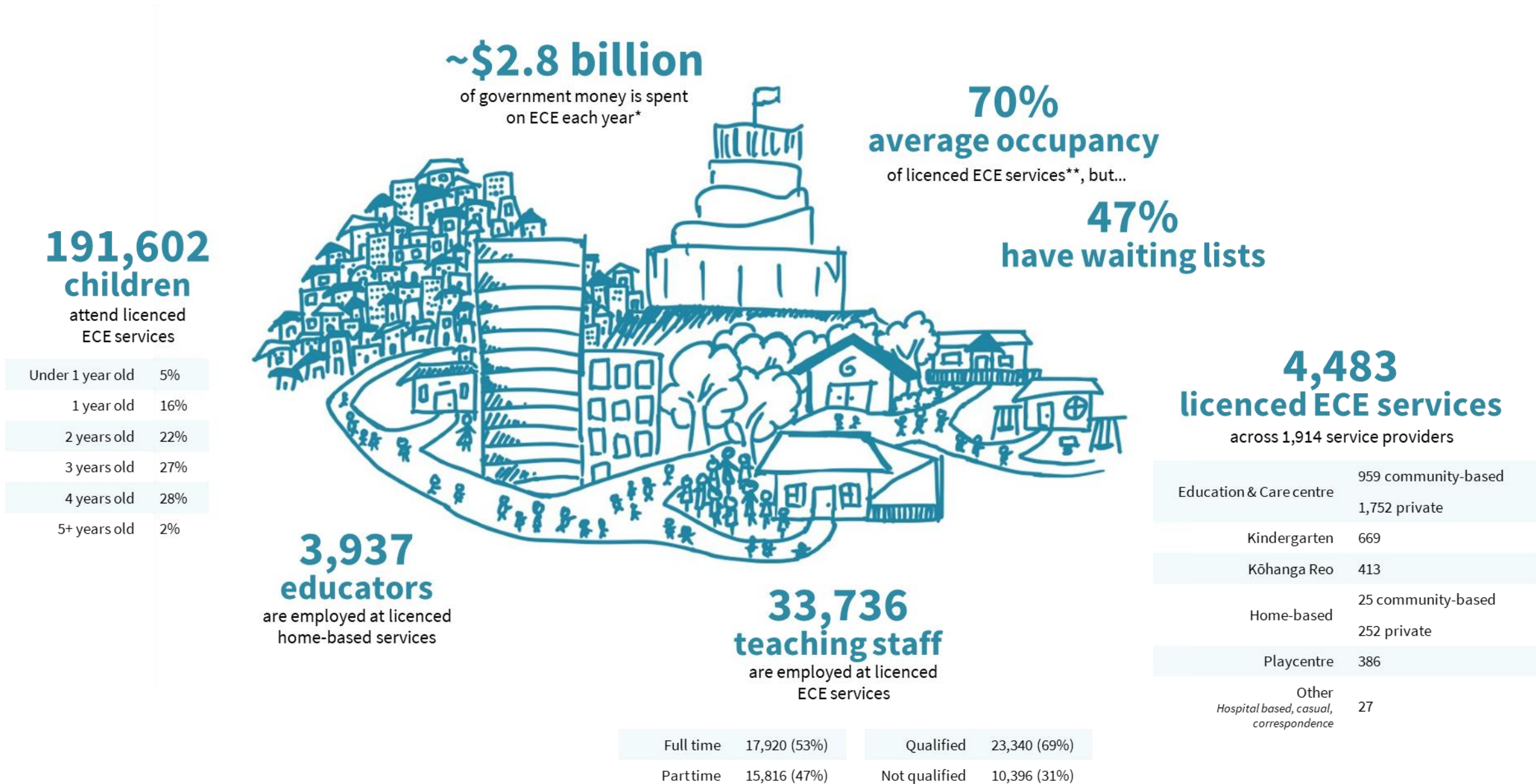
Diagram one: work phases of the ECE Review

47. An online engagement hub to receive written submissions and invite groups and individuals to fill in questionnaires, opened on 5 July 2024 and closed on 31 August 2024. From June to mid-September 2024 the Review also met with ECE service providers, people who work in ECE and various representative organisations and NGOs, as well as visiting several ECEs in different parts of New Zealand.
48. The Review’s Terms of Reference states that the purpose of the Review is to “*assess whether the current set of regulations are achieving the right outcomes for early childhood education*”. There is also a series of ECE policy settings that are listed in the Terms of Reference as being outside the scope of the Review. This includes the levels of government funding for ECE and the content of the ECE curriculum.
49. The Terms of Reference lists four questions the Review is seeking to answer, each with specified sub-questions. The engagement process was designed to gather information relevant to those questions – it took a broad approach to understand what the current state of the ECE in New Zealand was, the problems people saw with its operation, the problems people saw with how government was intervening, and the solutions people wanted to see.
50. The lead questions are:
  - **What are the problems?** The engagement asked questions to elicit what problems or potential problems people saw in the early childhood education market, and whether they thought current regulation was addressing those problems.
  - **Is regulation the best way to address these problems?** The engagement asked questions about where current regulation is working or not and why it is working or not in those areas. The Review expected, and received, different views about whether regulation is appropriate to address different problems highlighted by submitters.
  - **What are the costs and benefits of the regulations?** The engagement asked questions to understand what different costs and benefits were resulting from the current regulatory framework, and for who. The engagement sought to understand included financial costs, as well as other costs such as time. It particularly sought to understand the benefits for children and their parents.

- **Are the regulations working?** The engagement asked questions about the consequences of current regulations, how well understood the regulatory framework was and how well people thought the framework has been implemented.
51. Some submitters talked about issues that were outside the scope of the Review, as anticipated. Many submissions talked about the levels of government funding for ECE, including different models of funding for Kindergarten and other types of ECE. These submissions will be shared appropriately with a funding review which is also underway by the Ministry of Education.
  52. The Review is now undertaking a process of considering the themes that have come through the submissions process and supplementing this evidence with other sources of evidence. This will include validating some areas of submissions.
  53. While reading this report it is worth noting that the government funding framework and regulatory framework are necessarily linked in ECE, with government providing significant subsidies to ECE providers. This means that some problems identified by submitters are in part to do with the regulatory framework, and in part to do with the funding framework. This report has not sought to disentangle these issues, but the Review will be doing that work in future.
  54. The A3 overleaf below summarises key statistics and features of the ECE sector to provide wider context for the Review and this report.

# The Early Childhood Education and Care sector

This A3 summarises key statistics and features of Early Childhood Education and Care (ECE) sector to provide context to the ECE Regulatory Review. The information sourced from the Annual ECE Census 2023 and internal data from the Ministry of Education.



## How does the Government regulate the ECE sector?

Government regulates ECE services through primary and secondary legislation. It sets requirements for providers to enter the market and issues licences for providers to operate. To obtain and retain a licence a service must meet a range of requirements, including (but not limited to) delivering a curriculum, health and safety standards, and fit for purpose facilities. Government also has set requirements to access government funding and subsidies. Non-education specific regulatory frameworks also apply to ECE, for example health and safety at work legislation, resource and building consents and child protection.

\*2024/25 Vote Education Appropriation for Early Learning (M26)(A19). This figure includes licenced and certificated services.

\*\*Occupancy is a measure of how full ECE services are. Specifically, it is a measure of the extent that children are using all the hours that services would be funded for if their licenced places were full – an occupancy rate of 100% would mean that all licenced places are full for all the hours they can be funded for.



# Who submitted and who the Review engaged with

55. The table below outlines who the Review engaged with and how many submissions were received and from whom:

Group	Direct engagement	Written submissions
Service providers	40 + 15 site visits	<b>151</b> <i>107 through the questionnaire</i> <i>44 through freeform written submissions</i>
People who work in ECE	Three online forums	<b>1,080</b> <i>859 through the questionnaire</i> <i>221 through freeform written submissions</i>
Parents and caregivers	N/A	<b>782</b> <i>774 through the questionnaire</i> <i>8 through freeform written submissions</i>
Peak bodies, NGOs, advocacy groups, and advisory groups	8	<b>45</b> <i>12 through the questionnaire</i> <i>33 through freeform written submissions</i>
Other interested parties (including past teachers, academics, ECE consultants, and members of the public)	N/A	<b>227</b> <i>49 through the questionnaire</i> <i>178 through freeform written submissions</i>
<b>Total</b>	<b>63</b>	<b>2,285</b>

56. The submissions where demographic information was received<sup>2</sup> were broadly representative of the population they represented, with the following exceptions:

- Higher-income parents and caregivers were over-represented in questionnaire responses.
- Non-teaching qualified staff and other types of ECE workers were under-represented in questionnaire responses from people who work in ECE. Given the high proportion of questionnaire responses from very experienced people who work in ECE, we have assumed that less

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<sup>2</sup> Those submissions received through the questionnaire through the formal submissions process.

experienced teachers (i.e., both qualified and non-teaching qualified workers who had worked in ECE for less than 10 years) were also under-represented in submissions.

- Community-based (not for profit) ECE providers and Kindergartens were under-represented and private (for profit) ECE providers were over-represented in questionnaire responses from service providers. Additionally, service providers who operate many services (over 21 services) were over-represented in questionnaire responses.
- Across all groups, the Wellington region was slightly over-represented, and the Auckland region was slightly under-represented in questionnaire responses.

57. Summaries of the demographics of people who filled in the online questionnaires for parents & caregivers, people who work in ECE, and service providers are below.<sup>3</sup>
58. A list of the organisations (excluding service providers) who submitted to the Review is available in **Appendix 1**.
59. Many submissions, particularly those from peak bodies, NGOs, and advocacy groups, referenced academic and scientific evidence to support their arguments. Where relevant, the Review team have looked at these submissions of supporting evidence

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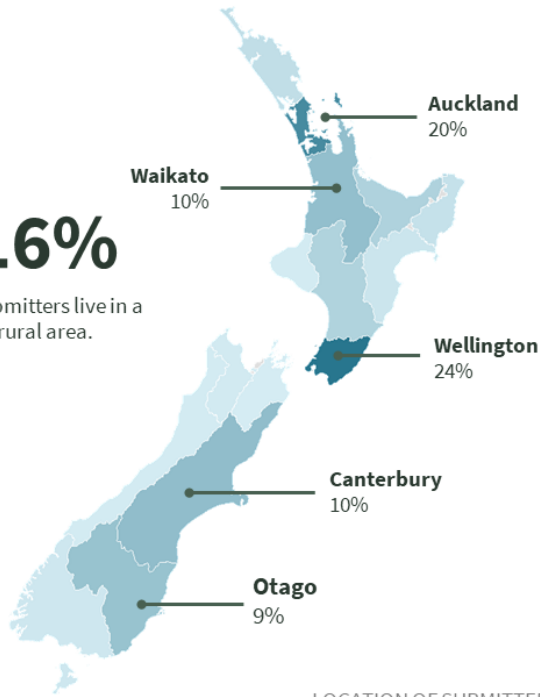
<sup>3</sup>Demographic information was not collected as part of the “Other interested people” survey.

## PARENTS AND CAREGIVERS

### DEMOGRAPHICS

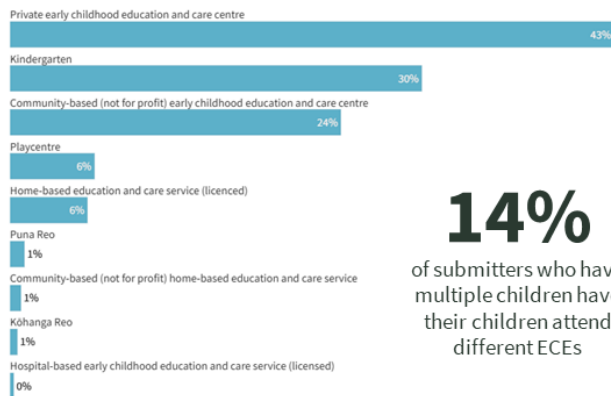
**16%**

of submitters live in a rural area.



LOCATION OF SUBMITTERS

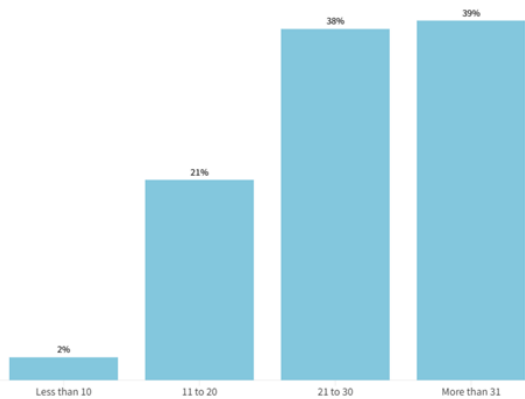
### Types of ECE attended



**14%**

of submitters who have multiple children have their children attend different ECEs

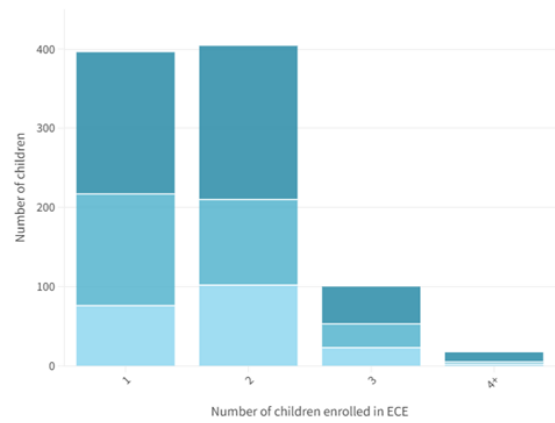
### How long children attend ECE per week



INFORMATION ABOUT WHERE CHILDREN GO

### Number and ages of children enrolled in ECE

0 - 23 months 2 - 3 years 3 - 5 years



**8%**

of submitters have children who are Disabled, medically vulnerable, or have specific needs

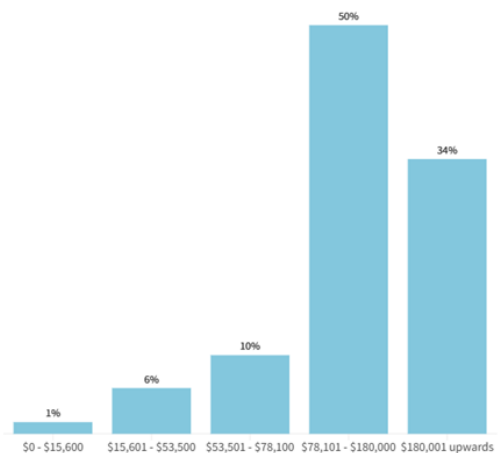
**85%**

of submitters were female

**91%**

of submitters primarily speak English at home. The next biggest group speak Te Reo Māori (1%)

### Household income

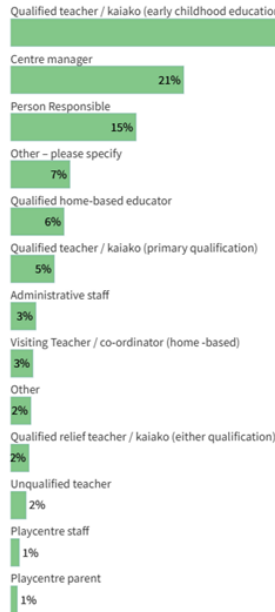


INFORMATION ABOUT HOUSEHOLDS

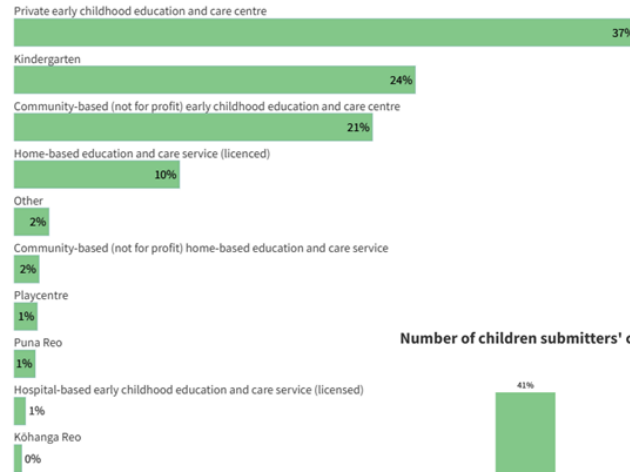
# PEOPLE WHO WORK IN ECE

## DEMOGRAPHICS

### Current role in ECE

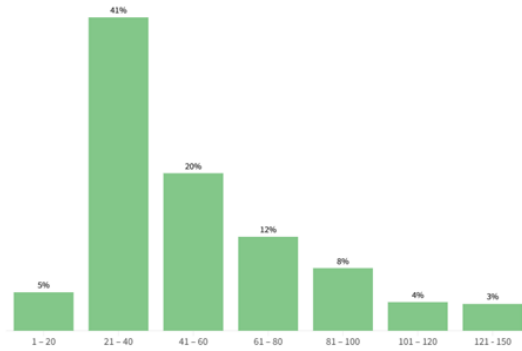


### Current ECE setting



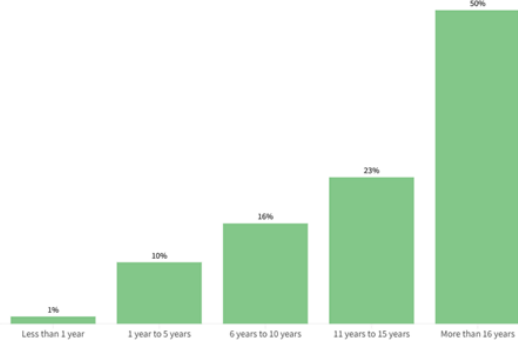
**20%**  
of submitters wrote directly to the review, so demographics were not captured.

### Number of children submitters' centres are licenced for

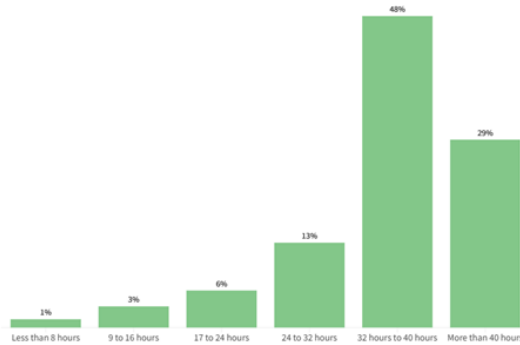


### INFORMATION ABOUT SUBMITTERS

### How long people have worked in ECE



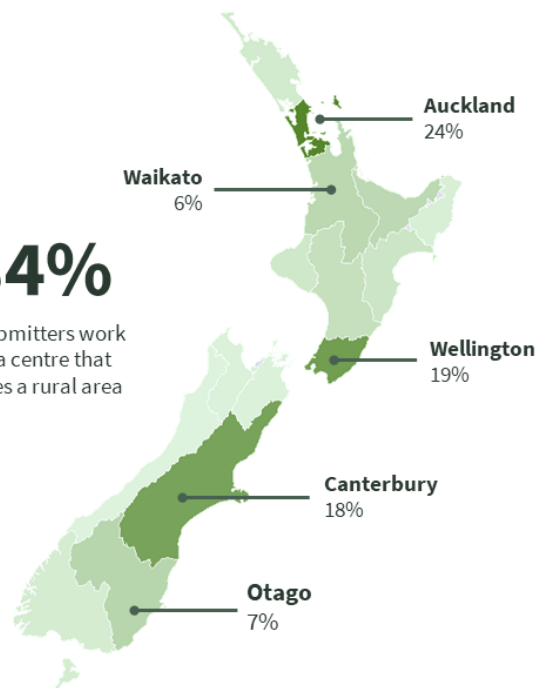
### How long people work per week



### EXPERIENCE OF SUBMITTERS

**34%**

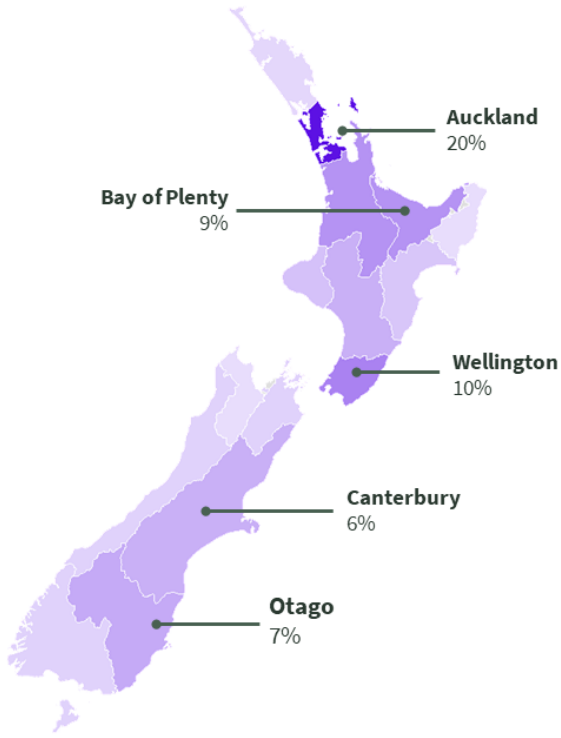
of submitters work for a centre that serves a rural area



### LOCATION THE CENTRES SUBMITTERS WORK FOR

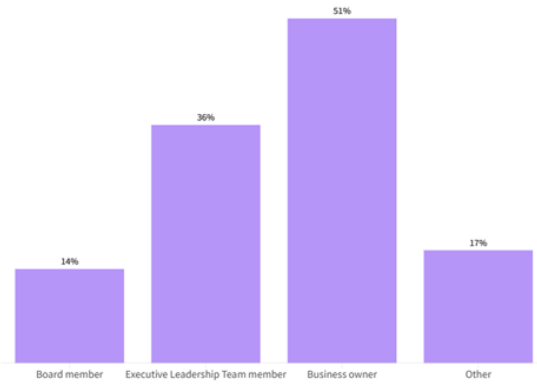


**SERVICE PROVIDERS**  
DEMOGRAPHICS



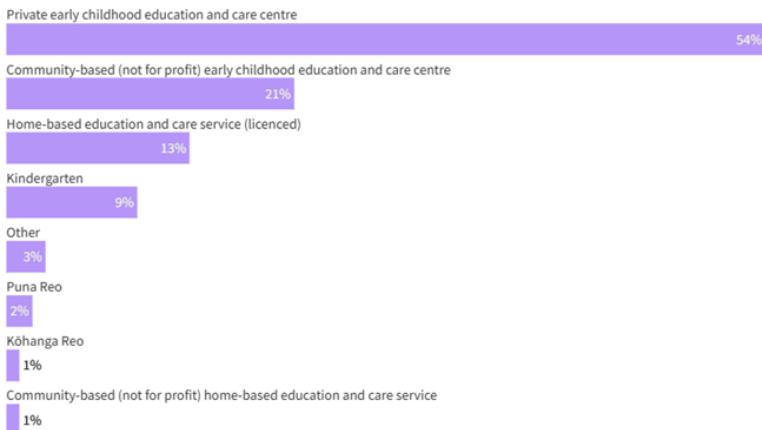
LOCATION OF SUBMITTERS' CENTRES

Positions held by submitters

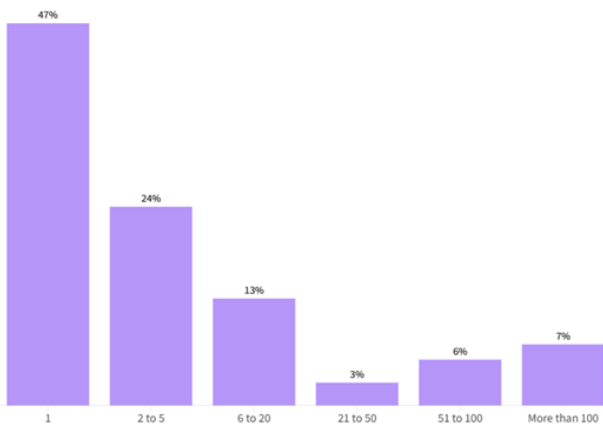


INFORMATION ABOUT SUBMITTERS

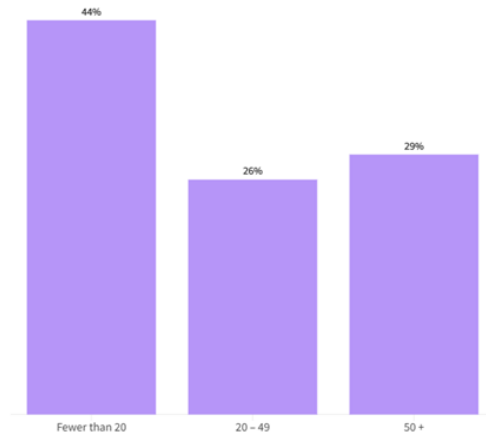
Types of service providers



Number of services operated by submitters' organisations



Number of employees working for submitters' organisations



INFORMATION ABOUT SUBMITTERS' ORGANISATIONS

**86%**  
of submitters' organisations charge fees for their services

**50%**  
of submitters' organisations last opened a centre more than five years ago.

# **SECTION ONE: THE DEMAND STORY**

# Chapter one: what do parents, caregivers, families and children want and need from early childhood education?

## Key messages

Submissions to the Review told us that...

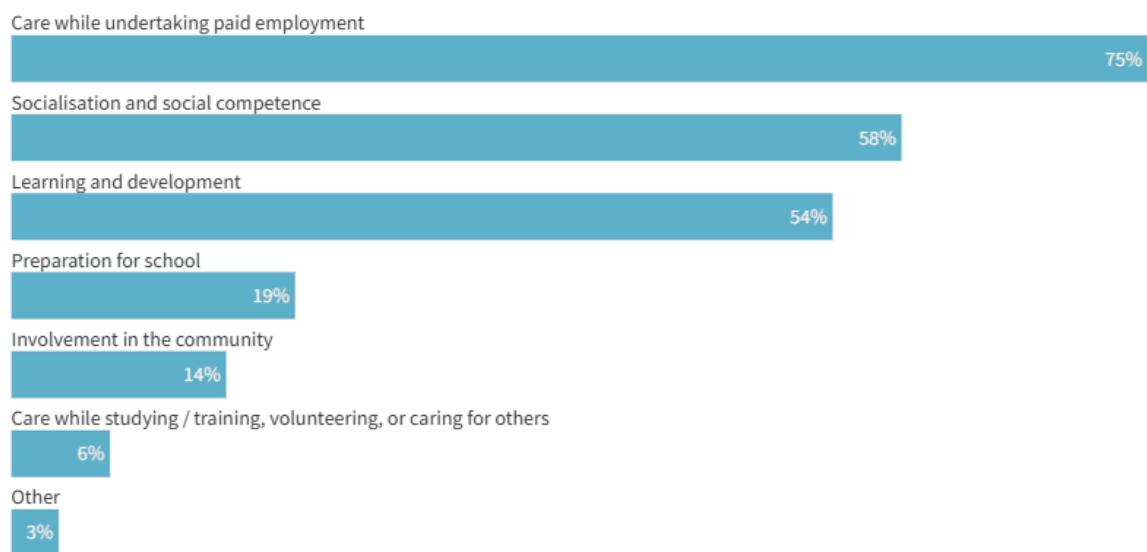
- Parents **need early childhood education to be able to undertake paid employment.** They see ECE as part of the village raising their children and they are invested in the quality of ECE so their children can be well supported to develop and learn.
- **Most parents are satisfied with the ECE their children currently attend,** with those who described why they were satisfied mostly saying that it was due to the quality of education and care they were receiving, indicated by the relationships their child had with their teachers, high adult-to-child ratios and an atmosphere they liked.
- While parents showed they have varied preferences when it comes to ECE provision, they all said in some way that they want an ECE where **their child is happy, safe, loved and cared for, and where they thrive in their learning and development.**
- It was clear from parent's submissions that they consider, and trade-off, many factors when deciding which ECE to send their children to, within the boundaries of the sometimes-limited options available to them.
- The **people who are going to be caring for and teaching their children are particularly important to parents.** Parents are also concerned with the number of adults to children (ratios) and the look and feel of the premises.
- A few parents described ECE as a **financial necessity** not a choice. They would prefer their children were not in ECE, or not at the young age they started attending.

## Why do parents enrol their children in early childhood education?

60. To understand the demand side of the ECE market, the Review sought to understand why parents and caregivers (hereafter parents) choose to enrol their children in ECE. The diagram below shows their answers.

### Why parents enrol their children in ECE

Parents were asked to select their top two reasons for choosing to enrol their children in an ECE



61. Parents gave varied reasons for why they enrol their children in ECE and talked about the value they see ECE adding to their and their children’s lives. Their explanations of why they use ECE show the difficult choices and financial realities many parents face, particularly in the early years of their children’s lives.
62. Most parents who submitted need ECE so that they can undertake paid work. A few submitters said this was the only reason for enrolling their children, or at least the only reason for enrolling them when they did. A few said that their children went to ECE younger than they would have liked.

*“This is the sole reason for putting him in care, so I can earn enough money for us to get by.”*  
– parent

*“We had to send our child to daycare, workers wages don’t go up, only the cost of goods and services go up with inflation, our wages stagnate, there is absolutely no way we could survive...so our child at 9-10 months old had to go to daycare sadly...” – parent*

63. A few parents said that enrolling their children in ECE was a financial necessity, not a choice.

*“We considered can we afford to eat and keep the lights on if only one of us was working and the other was a stay at home parent – these were the major considerations rather than what kura is good...” – parent*

*“Most people don’t have a choice. You have to work to pay rent, car, power, internet etc or else I wouldn’t have enrolled my baby into daycare” – parent*

64. Parents in households with higher incomes were more likely than parents in households with lower incomes to send their children to ECE so they could undertake paid employment.

65. Parents in households with lower incomes were more likely than parents in households with higher incomes to send their children to ECE while they were studying/training, volunteering, or caring for others.

66. Most submitters indicated that one of their top two reasons for enrolling their child in ECE was for their child to socialise with other children and build their social competence, or to support their child’s learning, development and readiness for school.

*“I see it as a critical part of my child’s development; learning social skills and getting experience and growth they cannot get at home.” – parent*

*“...Being exposed to all the wonderful, creative, innovative curriculum ideas put forward by the kaiako which I don’t have the skills and or time to do at home.” – parent*

67. A few parents said that one of their reasons for enrolling their children in ECE was to provide them with child-free time, including to support “my own sanity & mental health” and “to provide respite for carer”. A few submitters said ECE benefited the mental health of mothers, including those without family support nearby.

Language immersion early childhood education

68. A few submitters selected “other” as one of their top two reasons for enrolling their child in ECE. Of those others, a few were to immerse their children in te reo Māori or in Pacific languages.

*“To support my tamariki to learn te reo Maaori. My hoarangatira and I are learning and speaking as much as we can at home but the puna reo provided a lot too.” – parent*

69. The reasons kōhanga whānau choose to send mokopuna to Kōhanga Reo include similar reasons as other families (e.g. because parents need to work and their children need care and education), as well as considerations related to the unique status of Kōhanga Reo.

70. The Kōhanga Reo National Trust, who engaged with kōhanga whānau, reported to the Review that kōhanga whānau want:

- happy, confident, te reo Māori speaking mokopuna
- rangatiratanga, to be self-determining in ways that were always part of the original design of the kōhanga reo model
- whānau who are excited to be part of a global movement of radical disruption to colonisation and to gain the expertise to manage and govern the movement in ways that honour the kaupapa and enhance it.

71. Other parents also talked about the importance of their children being exposed to different languages, customs and values, including being exposed to te ao Māori and te reo Māori.

*“We were looking for a public space that taught/enacted respect for the authority of Te Ao Māori...Please note that our children do not whakapapa Māori...learning aspects of Indigenous culture is an absolutely unique and privileged opportunity for non-Indigenous peoples...” – parent*

**Definition reminder:**

‘most’ means 50% or more ( $50\% \leq x$ )

‘many’ means between 30% and 50% ( $30\% \leq x < 50\%$ )

‘some’ means between 12% and 30% ( $12\% \leq x < 30\%$ )

‘a few’ means less than 12% ( $x < 12\%$ )

## What do parents look for in ECE?

72. Parents said that they consider numerous factors when choosing their ECE, had clear expectations about what they want service providers to deliver, and talked about various trade-offs in their search for ECE.
73. To understand what drove parents' choice of ECE, the Review asked them to rank different factors from 'very important' to 'not important'. Diagram two below shows how parents answered this question.

### What drives parents' choice of ECE

Parents were asked to rate each factor from "Very important" to "Not important"

■ Not important ■ Slightly important ■ Important ■ Very important

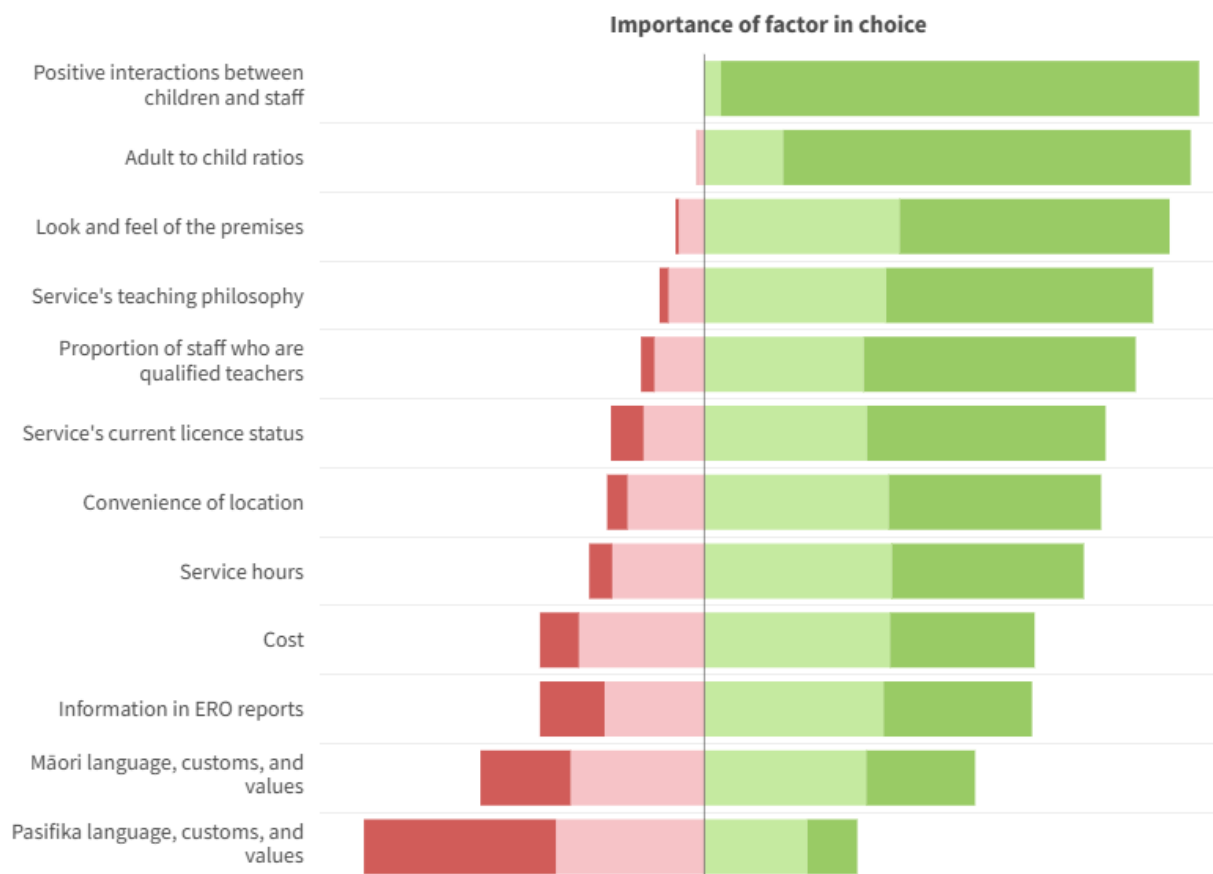


Diagram two: factors that drive parent's choice of ECE

74. Diagram two shows parents generally agree on the importance of some factors but disagree on the importance of others.

75. As diagram two shows, factors related to the people who would be with their child in their absence were particularly important to parents.

- Almost all submitters ranked positive interactions between children and staff as ‘very important’ or ‘important’, with nearly 97 per cent in the ‘very important’ category.
- Almost all submitters ranked adult-to-child ratios as ‘very important or important’.
- Most (nearly 90 per cent) ranked the proportion of staff who were qualified teachers as ‘very important’ or ‘important’.

76. Parents who said they cared more about adult-to-child ratios and the proportion of staff who were qualified teachers were more likely to have their child enrolled in a private or community-based ECE centre over Playcentre or home-based ECE.

77. The importance to parents of those working with their children was also illustrated by submitters’ free-text responses.

*“Look isn’t too important to me but the feel is extremely important and that comes from the teachers and how they engage with the kids.” – parent*

*“We would only choose an ECE where the teachers were 100% qualified, and the ratios are good...” – parent*

*“Its all about the staff. You can tell if they want to be there and have the time to respond and support the children...” – parent*

78. The teaching philosophy of the ECE was also important to parents, with just over 90 per cent ranking it as ‘very important’ or ‘important’. Parents wanted different approaches and teaching philosophies, which depended on their values and what was important to them.

*“From age 0-5 the child experiences the most brain growth that sets them up for the rest of their lives...so I sure as hell wanted to find a daycare that loved and treated my child as if they were their own and had a good understanding of child development, up to date research about this and also about teaching them and preparing them for the world.” – parent*



*“...If home-based wasn’t an option, I would not have enrolled them in any ECE and would have looked for informal options.” – parent*

79. Parents who cared more about teaching philosophy were more likely to choose a type of ECE with a specific philosophy (e.g., Kindergarten or Playcentre) over private ECE centres.

*“That it was a Kindergarten not a daycare! That he is challenged as part of a view to education potential rather than just housed and babysat for the day.”– parent*

*“I sent my children to Playcentre because it offered child-led learning, great socialisation and early education, while also supporting me as a parent...” – parent*

80. Parents who were primarily sending their children to ECE so they could undertake paid employment cared more about service hours than parents who were sending their children to ECE for other reasons. Parents with the paid work motivation were more also likely to choose private ECE centres over other types of centres, (presumably because these often offer longer hours).

81. Parents with higher household incomes were less concerned than parents with lower household incomes about both the look and feel of the centre and the cost when making their choice of ECE.

82. Submitters also provided additional factors that were important to them. A few parents referenced:

- word of mouth and recommendations from friends, family and other community members
- preference for a not-for-profit service provider
- preference for an ECE that fairly paid their teachers and treated them well, with a few specifically stating whether an ECE had signed up to Pay Parity was important to them
- preference for an ECE that provided food
- preference for an ECE with low staff turn-over
- the fact that the ECE they chose “fed” the primary school their children were going to attend

- easy/convenient drop-off logistics
- the availability of a large amount of outdoor space and/or natural outdoor play spaces at the facilities
- the ‘gut feel’ an ECE gave.

83. It is clear from parents’ submissions that choice is important. Parents talked about different preferences and different value bases that drove their decisions or would have driven their decisions had different options been available.

*“...very long wait lists in my area so difficult to have convenient choices that aligned with our values.” – parent*

*“We initially were on 5 waiting lists for ECE centres and the only place we got into was our 5<sup>th</sup> preference which did not align to all the things we’ve marked as important... waiting lists and it can make it difficult for parents to get into their preferred centre which aligns to their requirements.” – parent*

84. A few parents talked specifically about the importance of having choice and those choices not being curtailed by government intervention.

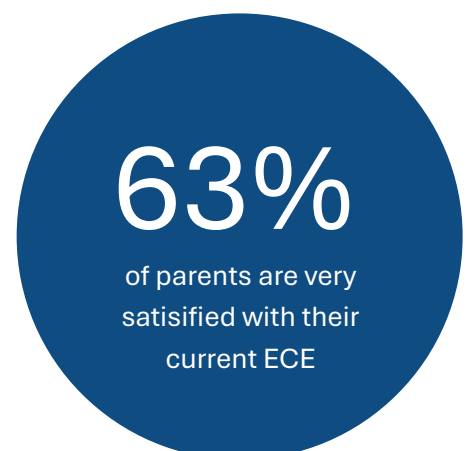
*“...Parents should be able to select care that fits their families, rather than a nanny state’s objective. There are many cultures that think a child should play until age 7, and not have to learn a damn thing until then and those cultures have great mental health and successful students into high school and Uni. Is that for me? No...” – parent*

### **What makes parents satisfied with their ECE?**

85. When asked whether they were satisfied with their children’s ECE, most parents said they were ‘very satisfied’ or ‘satisfied’. The reasons given for being satisfied were varied, with many referencing the relationships between their children and teachers.

*“Beautiful relationships between teachers and my child.” – parent*

*“Incredible caring and kind staff who treat my child like one of their own family.” – parent*



86. Parents who sent their children to home-based ECE were the most satisfied with their ECE, followed by parents who sent their children to Kindergarten and community-based ECE centres. Parents who sent their children to private (for profit) ECE centres were the least satisfied with their ECE. Those parents who only had one option of ECE to choose from were less satisfied with their eventual choice of ECE.
87. Other reasons for being satisfied included:
- High adult-to-child ratios, *“The child to teacher ratio is great which means my child gets the attention she needs and can develop strong bonds with others.” – parent*
  - An environment or atmosphere they liked, *“...What matters is what the centre feels like and whether the teachers seem relaxed, happy and focused on the children, and whether the children are happy and warm.” – parent*
  - Composition of staff they liked, *“I’m happy because all staff are registered teachers...”, “...equal numbers of male and female teachers...”, “...cultural mixed backgrounds of teachers...” – parents*
  - Physical or emotional safety being well provided for, *“I feel like the processes our ECE have around care and safety are excellent..” – parent*
88. While parents described varied preferences, they all said in some way they wanted a place their child was happy, safe, loved and cared for, and where they thrived in their learning and development.

## What did other submitters say parents, families and children need from ECE?

### Benefits of early childhood education

89. Many submitters pointed out that ECE has broad individual and societal benefits. A few submitters, particularly non-government organisations, researchers and teachers, referenced the strong evidence base that shows the importance of the first 1000 days of a child's life, evidence about attachment theory and what these mean for how ECEs should operate.
90. A few submitters referred to children's rights to education and said ECE should be a 'public good'. These submissions said all children should have the opportunity to fully participate in high quality, affordable, adaptable, accessible and quality early childhood education - inclusive of their abilities, ethnicities, languages, and cultures.

*“Education should be seen as a right and a public good available to all children, especially to those in the early childhood years, given the critical importance of that period of development. The marketisation of ECE services, prioritising profit over quality, must be resisted. Marketisation works against diversity in services, and against the availability of equitable, affordable and acceptable ECE provision.” – OMEP Aotearoa New Zealand, World Organisation for Early Childhood Education*

91. ECE was described in these submissions as being of value to children because it enables children to develop the skills and dispositions that will serve them throughout their lives and enable them to contribute to society.

*“The reasons [why Aotearoa New Zealand should support quality ECE] include upholding children's rights; supporting a strong start in life that leads to positive lifetime outcomes in health, education, pro-social relationships and wellbeing; which can, in turn lead to economic and productivity gains; and ultimately improving society through social cohesion.” – Mana Moko-puna – Children and Young People's Commission*

92. High-quality ECE was noted by these submitters as including:

- a regulatory environment that is evidence-based and informed by research
- qualified teachers with a knowledge of the ECE curriculum, and the understanding and skills to work with young children to implement the curriculum in practice
- ratios and group sizes that enable responsive, attentive and loving care
- policies and practices that are inclusive and enable children - and teachers - with additional needs to fully participate to the best of their abilities
- teachers pay and conditions that are equitable across the sector and encourage recruitment and retention of skilled people
- protection of children from all forms of neglect or abuse.

93. A few submitters separated ‘teaching’ and ‘care’ in this context, while others said that they could not be separated and that the emotional wellbeing of children, trust between children and adults and their secure attachments to adults (which some would put in the ‘care’ category) are essential to children’s development and therefore learning – they are social building blocks.

94. A few submitters made the inverse point – that poor quality ECE makes for notably poorer outcomes for children than quality ECE.

*“A number of studies found an early starting age (before age 1 or 2) into low-quality child care was associated with higher levels of antisocial/worried behaviour at the time and at school entry. Of significance is that, in general, children attending ECE centres where staff qualifications, programme, equipment, physical environment, and space were rated highly did not experience the same negative outcomes.” – retired teacher*

# **SECTION TWO: PROBLEMS, ISSUES AND PROPOSED SOLUTIONS**

# Chapter two: Places children go – what are the problems with the places children go?

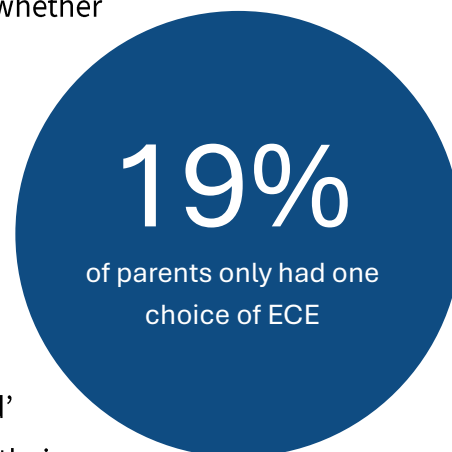
## Key messages

Submissions to the Review told us that...

- Submitters said that higher quality ECE was more expensive. They said this means that **children from lower income families may be receiving lower-quality ECE**, which could have short and long-term impacts on their learning and development.
- Most parents said they were satisfied with their current ECE service, but:
  - many said there were **not enough options** that met their needs when choosing where their child would go to early childhood education or that they had only one choice. This was supported by other submitters who said that ECEs were not located in line with demand.
  - some said early childhood education services were not meeting their needs or their children's needs, including that some had to make additional care arrangements.
  - some have **withdrawn** their children from their ECE service because of concerns about their children's needs not being met, including because their child was unhappy or they felt their child was unsafe.
- Many submitters of all types said that **disabled, neurodivergent and medically fragile children are not having their needs met** and are not being well supported in the current system. Parents of disabled, neurodivergent or medically fragile children are more likely to have withdrawn their children from their ECE service. They called for more, and better, support from government. A few submitters said this impacts on all children.
- Many submitters of all types, particularly parents, said that children who attend (centre-based) early childhood education get **sick frequently**. Submitters said higher ratios, lower service size, regulating group size and further requirements for higher air quality would make a difference to this.
- Some submitters, mainly people who work in ECE and NGOs, said **the physical environments of some ECEs do not support the learning and development of children and there should be different regulatory settings** in place to improve conditions. This included increased inside and outside space, reduced noise, and improved air quality. These issues linked to where submitters thought ECEs should be located.

## Some parents said they did not have good and/or enough options to choose from, which was supported by other types of submitters

95. The Review asked questions of parents to understand whether they are getting what they need and want from their children's ECE, as described in Chapter one. In general, parents' answers to these questions made it hard to draw clear conclusions about how satisfied they are with the range of options they had for ECE and with the ECE their children attend.



96. While most parents said they were either 'very satisfied' or 'satisfied' with the choices they had when choosing their children's ECE,<sup>4</sup> some said they had only one option of ECE to choose from. Others talked about their limited choices in response to questions about what factors they considered when choosing their children's ECE.

*"Truly we had no choice. Our option was the only one." – parent*

*"It's the only one in the area ...the waitlist was over 10 months for both my children to join. Rural community owned centres are few and far between..." – parent*

### **Definition reminder:**

'most' means 50% or more ( $50\% \leq x$ )

'many' means between 30% and 50% ( $30\% \leq x < 50\%$ )

'some' means between 12% and 30% ( $12\% \leq x < 30\%$ )

'a few' means less than 12% ( $x < 12\%$ )

97. Parents with lower household incomes or whose children are disabled were more likely than other parents to say they only had one option of ECE to choose from. Parents with disabled children indicated this was because centres either did not have the capability (i.e., training or skills) or willingness to enrol their children.

98. Parents who sent their children to home-based ECE and private ECE were the least satisfied with the available choices. Parents who sent their children to ECE for a short

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<sup>4</sup> There is some indication from the free text answers that submitters may have interpreted this question as being about how satisfied they were with their current ECE, instead of how satisfied they were with the options of ECE available to them.



amount of time (less than 10 hours in a week) or a long amount of time (more than 31 hours in a week) were less satisfied with the choices available in comparison with parents who sent their children to ECE for 11 to 30 hours in a week.

99. Of the few parents who said they were dissatisfied or very dissatisfied with their options, the reasons they gave were that the service (or services) they wanted had waiting lists, there was a lack of choice in the ECE market or that they did not like what they saw.

100. Parents described being on waiting lists for months at a time, including some who went on waiting lists before their children were born.

*“...We were and still are on wait lists for approx 9 centres - coming up to a 2 year wait time for one we wanted.” – parent*

*“...I had to put my third child on the waiting list before we even told our own parents about the pregnancy!” – parent*

*“It was really hard to find a place at any ECE in Wellington. We waitlisted when I was pregnant. Some waitlists are three years long... really stressful and limited options.” – parent*

101. Other types of submitters echoed these experiences, saying parents did not have enough choice of ECE due to unequal geographic distribution of services and long waiting lists at many services. A few commented that unequal geographic distribution of services was due to competition between service providers resulting in services clustering in higher socio-economic areas.

*“Unequal distribution of services across regions means that some areas miss out... Access to early education services are determined by postcode. While services may be available, they become unaffordable.” – Children’s Rights Alliance New Zealand*

102. Rural Women NZ said that additional issues were faced by rural communities, including a limited number of providers serving rural areas and additional costs faced by families due to travel distances.

103. A few submitters said that there were limited options for the type of ECE they wanted their child to go to or for an ECE that had a feature they wanted. Te Kōhanga Reo

National Trust Board said demand for Kōhanga Reo was very high, and the number of places did not meet demand.

*“The top issue for today concerning our kōhanga is the waiting list for our mokopuna, expansion is vital to be able to handle today’s demand of whānau who choose te kōhanga reo as the pathway for their tamariki mokopuna to seek their path to their reo rangatira” – Te Kōhanga Reo National Trust Board*

104. Parents described various preferences that they could not satisfy, with the most common one being a preference for a not-for-profit ECE centre. Other examples included ECE centres with high adult-to-child ratios and high proportions of qualified teachers or large outdoor spaces. Some said the system does not cater to parents’ need to sometimes pause their child going to ECE or to short-term ECE needs.

*“There are extremely limited choices in the community not-for-profit ECE space...there are just not enough not-for-profit community-based centres...” – parent*

*“I could not go back to work when I wanted to as the centres we toured and put our child down on had long wait lists. The reason for this though is a positive as they were centres with high numbers of qualified teachers and low child to teacher ratios. Not many centres could guarantee this when we toured which limited our choices.” – parent*

Some parents said they withdrew their child from an early childhood education service because their

child’s needs were not well met, or they felt they were unsafe



28%

of parents have withdrawn their child from an ECE

105. While most parents said that they were satisfied with their current ECE, more than a quarter of parents who submitted had withdrawn their child from an ECE for a reason other than moving away from the area. Their reasons are shown in diagram three below.

## Why do parents withdraw their child from an ECE

Those parents who had withdrawn their child from an ECE were asked to select their reasons

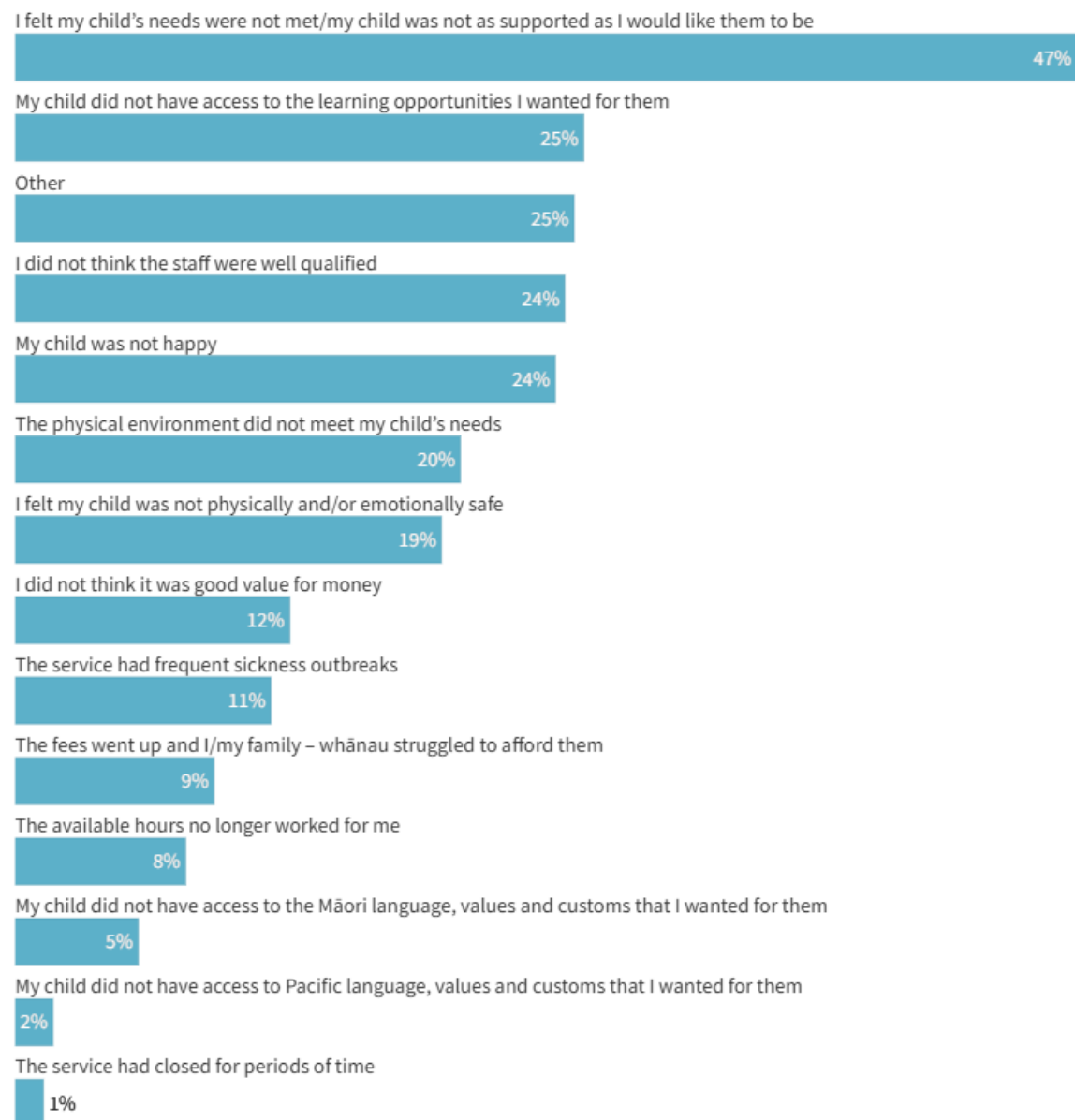


Diagram three: reasons why parents withdrew their children from an ECE

106. Parents whose children were disabled were more likely to have withdrawn their child (for a reason other than moving area) than other parents. Most of these parents said they withdrew their children because their children's needs were not met. A few of these parents had experiences where centres made plans for the care of their child without involving the family.

## Some parents said that they had to make additional care arrangements, and that some would like their children to spend more time at early childhood education

107. Most parents were happy with the amount of time their child spent at ECE. However, some needed to make additional arrangements because their ECE did not meet all their needs. Some said that their children spent less time at ECE than they would have liked for reasons relating to cost or the ECE's performance.

108. Many parents who need additional arrangements on top of ECE said that was because the ECE's hours did not match their working hours.

*"If the hours accommodated working hours better that would be brilliant! But that's also the case for school hours." – parent*

109. Of those parents who said they need to make additional arrangements, many had family who looked after their children, and a few said that they had a nanny or au pair to provide the additional care.

*"The fees for an under two -year-old attending the centre 5 days a week is more than we can afford; therefore, my mother reduced her work from full time to part time and cares for my child 2 days a week" – parent*

110. Some of the submitters whose child spent less time at ECE than they would have liked said it was due to the cost of ECE and not being able to afford more hours, or it was because they did not think it was good value for money.<sup>5</sup>

*"They daycare costs are very expensive and I was struggling to meet the costs so I pulled them out 1 day and found someone in the family to look after them which is sad because they loved daycare." – parent*

111. A few other submitters whose child spent less time in ECE than they would have liked said it was because they did not think their children's needs had been met as they would have liked them to be, their child was not happy, or they did not feel their child was safe.

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<sup>5</sup> The example provided by the questionnaire was that the fees were too high a proportion of their family income.

*“...my child’s needs were not met, they were not physically or emotionally safe from the aggression of other children...” – parent*

## Some parents said they would like their children to spend less time in early childhood education

112. Some parents said that their children spent more time in ECE than they would like. These parents described wanting to spend more time with their children but being unable to do so due to financial and societal realities. A few parents talked about the link between the government policy settings for ECE and parental leave.<sup>6</sup>

*“I despise the unnatural social construct we've created that means I have to put my babies in ece just so I can afford to put food on the table. It is a colonized system & now as a māmā I cannot afford to raise & nurture my whānau without spending all week at work. We need more support for parents to work part time while their babies are still babies...” – parent*

*“Yes, I feel like 8hrs, 5 days a week is such a long day for a small child to be away from parents and I do feel really guilty about that but it seems to be the reality when both parents work full-time. Any chance NZ can follow Scandinavia's lead and give both parents a year's paternity leave, fully paid which can be taken consecutively haha go on, it would relieve a heavily burdened education sector and the benefits are numerous! :)” – parent*

113. A few parents said that their ECE had inflexible enrolment rules that meant their child had to be enrolled for longer than they would like. For example, they had to enrol them for a minimum number of days.

## Many submitters said disabled, medically fragile and neurodivergent children are either excluded from or failed by the early childhood education system

114. Many submitters of all types said that disabled, neurodivergent and medically fragile children were being effectively excluded from the current ECE system or were being failed by it. A few submitters referred to New Zealand’s obligations to commitments

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<sup>6</sup> Parental leave regulatory settings are outside the scope of this Review.

under the United Nations Convention on the Rights of Children and the United Nations Convention on the Rights of Persons with Disabilities.

*“The New Zealand Government is obligated through international law to uphold the rights of children under the Convention on the Rights of the Child, therefore the impact of regulatory changes on children’s rights must be thoroughly assessed and reported on.” – Save the Children*

115. People who work in ECE said that they do not receive enough support (including through funding) to meet the needs of disabled, neurodivergent and medically fragile children, and that in many ECEs there were not enough teachers to meet their needs. They also said that they did not feel well-equipped through the right training to do their best and provide what is needed.
116. Mana Mokopuna – the Children and Young People’s Commission supported this, saying how it was important for ECE teachers to be qualified and knowledgeable about how to support neurodiverse mokopuna to enable their full inclusion and participation.
117. Service providers said that parents of disabled, neurodivergent and medically fragile children struggle to find an ECE that will enrol their child, and sometimes have to enquire at more than 15 places before they find a provider who will enrol them.
118. People who work in ECE and service providers both said that the needs of pre-school children seemed to have increased over the years, and that they had more disabled, neurodivergent and medically fragile children enrolled than previously, particularly in low socio-economic areas.
119. Submitters said this increase in need had not been met with an increase in additional support, although a few service providers and people who work in ECE said that the early intervention support they got from the Ministry of Education was good (there just was not enough of it).
120. These issues were not only talked about by submitters as issues of funding levels – submitters talked about these issues in relation to the current approach to regulation for ECE and saw different regulation as at least a partial solution to some of these issues.

121. As well as regulating for higher minimum standards (particularly relating to ratios of adults to children, qualification requirements of workers and the physical environment<sup>7</sup>) submitters said that the market-driven system excluded disabled, neurodivergent and medically fragile children, and that this could be countered by regulation.

*"Regulations and requirements must not be any less than 100% supportive of the needs of our young Deaf and Hard of Hearing children as our most vulnerable population" - Deaf Education ECE Trust*

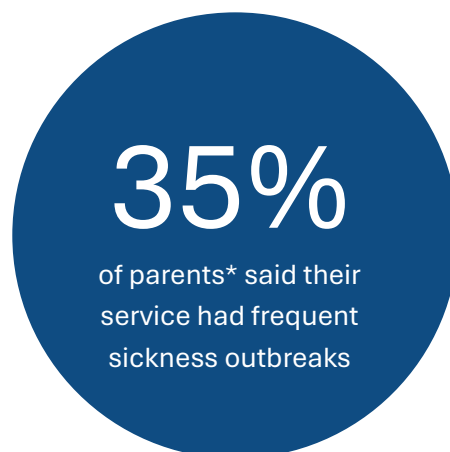
122. Kindergartens Aotearoa submitted that children's exclusion from ECE and restraint in ECE should have regulatory standards, particularly for the protection of disabled, neurodivergent and medically fragile children. They said that these requirements would bring ECE in line with primary and secondary school requirements.

123. These themes run through many different parts of people's submissions and are therefore picked up in other places of this report as well.

## Many submitters said children who attend early childhood education and people who work in early childhood education get sick a lot

124. The most common reason for parents saying their child spent less time at ECE than they would like was frequent sickness outbreaks. This theme was repeated through various parts of not only the parents' questionnaire but also in submissions from people who work in ECE, service providers, and other interested people.

125. Parents talk about sickness outbreaks in two ways – either in reference to their children frequently becoming sick or the ECE having frequent sickness outbreaks that may mean it closes or shortens hours due to staff also becoming sick. The



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<sup>7</sup> All of these areas are covered elsewhere in this report.

\* who said their child spent less time at ECE than they would like. 18% of total parents said this.

submissions made clear that this was a real challenge facing working parents, one that many were resigned to being a fact of ECE life.

*“...There seems to be a lot of sickness at the centre and parents sending their children regardless of how sick they are. I know sickness is to be expected but my child has been going 2 days a week for 9 weeks and has spent almost half of that time at home due to illness. Every time he’s better I take him back he comes home with a new illness.” – parent*

*“The sickness outbreaks seem to be the reality with every ECE provider...it’s by far the biggest burden on working parents.” – parent*

126. A few parents said that one of the reasons they chose home-based ECE was because they expected lower levels of sickness. One specifically said they moved from centre-based to home-based for this reason.

127. People who work in ECE also submitted about falling sick frequently because they were working in an environment where infection and viruses spread easily and quickly. This was a bigger theme for centre-based workers than home-based.

*“Teaching wellbeing needs to be more of a priority. Our teachers are always sick, from things they’ve caught at work, yet only get 10 days. Many of us work through being sick or have to day take days off unpaid. Only to go back to work and get sick again from what the children are bringing in.” – teacher*

*“I would like to see the covid policy reviewed for ECE. Currently teachers and children can attend a service, without any consideration for those around them...There should be more protections in place...” - teacher*

128. A few submissions from people who work in ECE said that the absence rules and forms were too strict, which can cause parents to send their children to ECE while sick. The absence rules are government funding rules, contained in the ECE Funding Handbook.

*“Frequent absence rules to ECE are unhelpful, parents are made to send children to centre when unwell.” - teacher*

*“Frequent absence rules are too strict, especially the ones around patterns. Little children get sick quite often and we ask parents to not bring them in to prevent spread, but then with frequent absences we have to ask them to come, which can be quite hard.” - teacher*



129. People who work in ECE and service providers said frequent sickness increases reliance on relief teachers, who can also be in short supply. A few said teachers were working while sick as a result of these issues, which exacerbated the issue.
130. A few people and organisations who submitted to the Review said the issue of sick children in ECE is a serious one. Submission documents said that regulations about physical space, ratios and group size are not sufficient to prevent overcrowding, spread of infection, or provide appropriate space for temporary care of sick children.
131. Organisations that submitted to the Review cited research that says evidence-based regulations and safety guidelines informed by research on controls such as temperature and ventilation could reduce risks of sickness in ECE settings.

*“The high incidence of respiratory infections in early childhood may be due to poorly ventilated and overcrowded centres. Adult exposure to respiratory disease in close, crowded, and overheated rooms for sustained periods will result in an increase in illness.” – ECE Teacher and researcher*

132. The ECE Parents Council and Office of Early Childhood Education submitted that as well as records of child immunisations, ECE services should be obligated to keep records of staff immunisations, who can also transmit diseases. The ECE Parents Council also recommended that ECE centres with 20 children or more be required to have a CO<sub>2</sub> monitor in use in indoor areas used by children to ensure adequate ventilation to reduce the spread of airborne diseases.
133. A change in requirements for the minimum number of handbasins was also put forward by an academic and ECE consultant. A few submitters said that teachers have little to no training in infectious disease spread and that this should change.

## Some submitters said that the physical environments of some early childhood education settings do not support the learning and development of children

134. Many submitters said that the physical environments of early childhood education settings are important to children’s wellbeing, learning and development. As one teacher said describing what they would like to see in the physical environment of ECE centres:

*“...Premises and facilities need to be for children, they need space to learn and grow, room for free movement. They need to be safe, clean and tidy. They need quiet, birds, nature and no noisy traffic of motorways close by... just not noise all the time. They need a space where they can be noisy too, not in built up areas.” - teacher*

135. The aspects of the physical environment that submitters of all types talked about as being important for children’s wellbeing, development and learning were:

- having enough inside and outside space to learn, play and explore
- air quality that ensured sickness spread was avoided where possible and low levels of pollution from surrounding areas and activities (as discussed above)
- appropriate temperatures (i.e., sufficiently warm but not too hot)
- quiet environments/environments that were not too loud.

136. Some submitters said that the environments of many centre-based ECEs fell short of these standards, while a few also said that some centres were inaccessible to disabled children and their families.

### **Inside and outside space**

137. Having sufficient inside and outside space for children to run, play and explore came through in a range of submissions. Parents said that the “look and feel’ of premises and the physical environment was important to them when choosing an ECE, and a few described what they thought were centres with too little inside and outside space.

*“We visited one centre which had tiny outdoor space shared between too many children and the children were told not to run around, because the garden was landscaped and completely unsuitable for children to play in, it was heartbreaking to see.” – parent*

138. Many people who work in ECEs described centres not having enough space, inside and outside, which impacted on children in multiple ways, for example by causing more noise and stress, which impacted on behaviour.

139. Space issues were spoken about in different ways – about not having enough space per child, the calculation including furniture so the requirements did not equate to

open space for play and activities and not having enough space for different areas to be allocated for different uses (the most common one here being for a dedicated sleep environment for children).

*“We do not have enough space dedicated to sleep rooms, toilets, indoor and outdoor play spaces. Our spaces are very crowded. This causes greater noise, stress, accidents and negative behaviours.” - teacher*

*“...The space is TINY. Children need to move. How can they if they are squashed in like sardines.” - teacher*

140. Other interested submitters also talked about the amount of space in ECE centres being insufficient for children to learn, play and explore.

*“...New Zealand’s space regulations are amongst the poorest in the world. 2.5m<sup>2</sup> is really inadequate and would make for overcrowding and is a recipe for conflict. 5.2 outside is not enough space to allow for adequate movement and all important physical development, which is connected to cognitive and emotional development too.” - teacher*

141. A few parents submitted about the importance of outdoor space and a few people who work in ECE and NGOs said there should be requirements put in place for ECEs to have natural outdoor spaces, with grass and trees. This was echoed by organisations representing and advocating for disabled children.

*“Require centres to have physical environments that include a lot of softness (including real grass, cushions, rugs, carpet, couches, swings), and not be dominated by hardness (e.g. wood, concrete, and artificial ground surfaces). This helps reduce reverberation and ensure quality listening environments.” – Deaf Education ECE Trust*

## **Air quality**

142. Submissions about air quality in ECE centres mainly came from NGOs and researchers in this area. Air quality was cited by submitters as important for two reasons – for ensuring children and workers were not breathing in highly polluted air and as discussed above, to reduce the spread of illness.

143. A few submitters said that there were risks with having ECE centres in areas of high traffic density and industrial areas, which were often where centres were built. A few also said that air quality was of particular importance to young children who were at

particular risk from pollutant exposure and that New Zealand had high rates of respiratory illness.

144. This was supported by submissions from a few parents who said that there should be ventilation standards or other measures in place to reduce the prevalence of illness as much as possible.

## **Temperature**

145. A few submissions from NGOs, researchers and people who work in ECE said that maintaining a sufficiently warm temperature was important for children's wellbeing, including because of the high rates of respiratory illnesses in New Zealand.
146. OMEP Aotearoa New Zealand (member of OMEP World Organisation for Early Childhood Education) submitted that as well as a minimum requirement for temperature, which is currently regulated, there should also be a maximum permitted room temperature.
147. This was supported by a few other submitters, including people who work in ECEs and service providers. A few submitters specifically commented that the current minimum room temperature of 18 degrees should be retained.

## **Noise**

148. Some submissions from NGOs, researchers and people who work in ECE said that the high levels of noise in some ECE centres were damaging children's wellbeing, and hearing, and the hearing of ECE staff.
149. In terms of children's wellbeing, and their ability to learn, teachers talked about the sensory processing demands of high levels of noise which result in emotional dysregulation and resulting behaviours.

*"...These behaviours effect all tamariki and their development, including stress inside young developing brains." - teacher*

150. Submitters said a range of factors contributed to noise levels, from external factors such as roads to internal factors such as high numbers of children and physical spaces that were not designed to lessen noise.

151. ECE Reform, and NGO, submitted that children in ECE were sometimes exposed to levels of noise that could lead to hearing loss which had significant ongoing consequences.
152. It is worth noting, that a few service providers said they had significant difficulties meeting the acoustic requirements for licensing. This is covered in chapters three (barriers to market entry, expansion and innovation) and seven (policy performance).

### **Submitters recommended regulatory and non-regulatory solutions for improving the physical environments of early childhood education settings**

153. Solutions put forward by submitters were predominantly regulatory, but also suggestions for service providers to take steps of their own accord – such as monitoring CO<sub>2</sub> and noise levels and furnishing their ECEs with soft materials for comfort as well as noise minimisation.
154. The regulatory proposals included increasing minimum inside and outside space requirements,<sup>8</sup> requiring natural outdoor space and softness in ECE settings, reducing maximum service size, requiring CO<sub>2</sub> level monitoring and different requirements (or guidance) about appropriate locations for ECE centres (such as not allowing them where air quality is poor).

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<sup>8</sup> Some submitters, notably ECE Reform, provided a detailed proposal on what those new space requirements should be and a transition plan over time to account for the fact that many centres have been built in line with current requirements.

## Chapter three: Barriers to market entry, expansion and innovation – can service providers respond to demand and innovate in early childhood education?

### Key messages

Submissions to the Review told us that...

- Most service providers said they are **not currently meeting the demand** for places, or types of service, in their communities.
- Home-based services said they **could not meet demand and had very long waiting lists**. Some directly attributed this to current regulatory requirements about the proportion of their educators that needed to be qualified which was limiting their growth, and financial sustainability.
- Service providers did not directly attribute not being able to meet demand with it being too difficult to expand their services or innovate. **Many said that cost was the main barrier to service expansion**, particularly with the high cost of land and building.
- **Many service providers said they were unable to meet the needs of disabled and neurodivergent children, and children with specific needs**. They predominantly attributed this to not being able to provide the right, or enough, staff, with the right skills and training.
- **Many service providers described a high volume of requirements to meet to obtain a probationary licence**, saying that co-ordinating across multiple government agencies can be difficult. More experienced service providers described more straightforward processes.
- Many service providers said probationary licence **requirements were interpreted inconsistently** which caused confusion and frustration about what was required.
- A few submitters said there was a **lack of innovation** in the early childhood education market but did not directly attribute it to a particular cause – beyond being a sector in survival mode.

## Many service providers said that there was a high volume of requirements for market entry

155. To understand whether the current government intervention in the market is achieving an appropriate balance between imposing checks and balances and burden on service providers, the Review asked existing service providers about their experience of opening new services.

### Definition reminder:

‘most’ means 50% or more ( $50\% \leq x$ )

‘many’ means between 30% and 50% ( $30\% \leq x < 50\%$ )

‘some’ means between 12% and 30% ( $12\% \leq x < 30\%$ )

‘a few’ means less than 12% ( $x < 12\%$ )

156. The Review cannot provide a summary of barriers that have completely prevented market entry. This is because the questionnaire did not reach people and businesses who may have wanted to enter the ECE market but had been unable to or had decided it was too difficult for whatever reason.

157. When considering what service providers said in response to these questions it is worth noting that for half of them their last experience of opening a new service was more than five years ago.<sup>9</sup> This means that for most submitters their experience was not current, or they did not have the full probationary licencing experience so the Review cannot draw definitive conclusions on the current system.

158. Diagram four below shows how service providers responded when asked how easy or difficult it was to meet the requirements for a probationary licence.

### Meeting licencing requirements

Very difficult   Difficult   Easy   Very easy

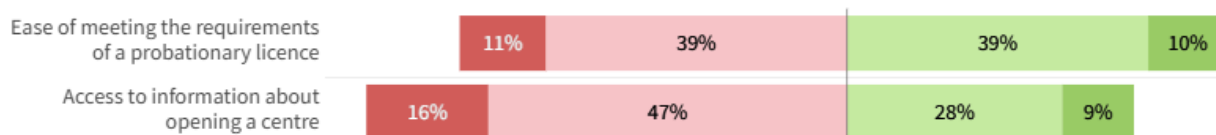


Diagram four: how easy or difficult service providers found meeting probationary licence requirements and accessing the information they needed to understand the requirements

<sup>9</sup> 17% had opened a service within the last two years and just less than 10% were currently opening a new service. A few indicated in the free text that they had bought services that were already licenced.

159. Some service providers described a high volume of requirements and said that even if they understood what was required of them it was “...a huge amount of work” to meet them and obtain a probationary licence.

*“...The information was helpful as a very general overview but once you get in and start the process it is gruelling...”- owner of a Puna Reo*

*“If you collate the required information / documentation (which takes time) it is an easy process. There is a lot of documentation but its not hard, just arduous...” – CEO of a centre-based ECE service provider (community-based, not for profit)*

*“It is just a lot to get there, I don't particularly think it should be any easier/it is pretty important to ensure that every aspect is covered...” – owner of a private ECE centre*

160. This was not a view held consistently by service providers, with some saying that while the volume of requirements was high, they understood the process and could navigate it with relative ease.

*“This was difficult only in terms of the amount of work that needed to be done in preparation however the probationary license was relatively easy to obtain because we had done the groundwork and were all experienced teachers. The MOE support team were very helpful.” – owner of a centre-based ECE (private)*

161. Smaller service providers (fewer than 20 employees) found it more difficult to meet the requirements for a probationary licence than larger service providers. Large service providers (over 50 employees) were more likely to find it easy or very easy to meet the requirements for a probationary licence.

162. Pacific Enterprise People Limited submitted that the current regulatory system may be creating barriers to entry and sustainability for Pacific ECE services because of the volume of requirements having to be understood by people whose second language may be English.

*“To paint a clear picture, what we see is this: centre owners and leaders are necessarily deeply versed in their own culture and language. Therefore, they often have English as their second language. Yet to run an early learning service, they must comply with dozens of laws and regulations written in legalese and updated frequently...The current regulatory system may inadvertently create barriers to entry and sustainability for Pacific Early Learning*



*Services, leading to market distortions such as reduced competition and the potential loss of culturally significant services.” – Pacific Enterprise People Ltd*

## Many service providers said market entry requirements were interpreted inconsistently by the Ministry of Education

163. Many service providers said that they faced issues with inconsistent interpretation of requirements by different people at the Ministry of Education and other agencies that are involved.

*“The biggest issues that we have had is the inconsistency between MoE [Ministry of Education] officers when they could to assess different preschools. This is true even for the same officer assessing two different preschools months apart...” - owner of centre-based ECE service provider (private)*

*“We have licenses in 10 regions and I provide exactly the same information to each region following the paperwork guidelines, and the inconsistency and the personal interpretations of these are unbelievable. I could write a book on it...” - Executive Leadership Team member for a home-based service provider*

## Many service providers said that they had to deal with multiple agencies on market entry, which sometimes caused delays

164. Many service providers described the challenges they faced dealing with more than one government agency, as well as local government, either because the agencies disagreed on the interpretation of requirements, or because of the amount of work involved in going between them.

*“The most difficult thing was having to go back and forth constantly with different agencies like MOE [Ministry of Education], MOH [Ministry of Health], and council which costs time and money because they cannot agree all have their own rules and policies. They do not have a system to share information when dealing with opening an ECE centre. It was actually traumatic.” – owner of a Puna Reo*

*“...We use planning consultants, acoustic consultants, architects, engineers, fencers etc...We have been through more than 25 licence inspections...each varied wildly from the next depending on the Education region, FENZ, Health, and Council requirements and how they are applied in each region.” – Executive Leadership Team member of community-based ECE centres (Kindergartens)*

## Some service providers said that the approach of government agencies was unsupportive

165. A few service providers said that the approach taken by the Ministry of Education and the Ministry of Health when issuing probationary licences was unsupportive, and the process of obtaining a probationary licence would have been easier if they provided more support.

*“...What would have been helpful is more tangible support from the MOE...” - owner of centre-based service provider (private)*

*“...real lack of support from the ministry. They don't want to tell us how to do anything for fear of liability.” - owner of a home-based service provider*

166. One service provider said that the timing of involvement of the Ministry of Education and the Ministry of Health was too late. This caused the late identification of issues, and incurred additional costs that could otherwise have been avoided.

*“...The difficulty I found is that both the Ministries of Health and Education were reluctant to engage earlier than the licencing date and seemed concerned that they might in some way contradict the licencing officer that ultimately turns up at the end of the process. It would be far more helpful if the Ministries could provide more proactive engagement/partnership throughout the design and build to provide guidance at a time where it is cheaper and easier to fix issues rather than having to retrospectively find solutions at the end of the build.” - owner of centre-based service provider (private)*

167. A few service providers described an opposite experience, saying that they found the Ministry of Education supportive in this process. One Executive Leadership Team member of a Puna Reo said that they received “good guidance from support people in...Ministry of Education.” A few service providers that had originally been licenced several years ago also described a supportive process.

## Some service providers said that requirements were highly prescriptive which could cause issues for them when obtaining a probationary licence

168. A few service providers spoke about the very specific nature of the requirements causing issues, with some talking about the specific wording that was required of them in policies.

*"...While information was available the assessment of our policies etc was very specific and clearly desiring specific sentences, statements and approaches. Our advisers are lovely people but they are bound by many expectations leaving little room to trust us as providers."- board member of an ECE centre (community-based, not for profit)*

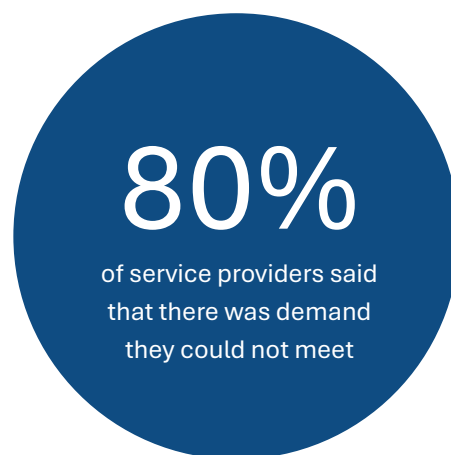
169. Another service provider described a delay in their new centre opening because of a single word in the Council building report.

170. Some service providers spoke about specific requirements for probationary licences that they had issues with – including requirements that incurred high costs for them. These notably included the complexities, or unintended consequences, related to resource and building consent requirements; acoustic requirements assessed by the Ministry of Health; and conflicting requirements between different regulatory frameworks about the height of door handles.

## Most service providers said they were unable to meet demand

### Waiting lists

171. To get a better picture of how well-functioning the ECE market was, the Review also asked service providers whether they were able to meet demand.



172. Most service providers that answered the questionnaire said there was demand they could not meet.<sup>10</sup>

*“...We are currently not meeting the demands of our community. This has shown up in regular surveys we have had with our community.” – owner of centre-based service provider (private)*

173. When describing what demand they could not meet, they predominantly talked about having long waiting lists for their services. This was true across all type of providers.

### **Demand for specific service types**

174. A few home-based services said they had demand in specific geographic areas that they were unable to meet (due to not having enough educators in place).

175. Other specific service types or features that service providers said there was demand for that they could not meet were:

- higher adult-to-child ratios, which they could not afford
- places for children to attend part-time
- places for children under the age of two
- bilingual or trilingual services
- transport for families.

### **Disabled, neurodivergent and medically fragile children**

176. Across the questionnaire and written submissions, many service providers talked about the needs of disabled, neurodivergent or medically fragile children. This has been previously covered in this report in chapter two.

177. Service providers either said that they could not provide the right staff and environments to meet the needs of disabled, neurodivergent or medically fragile children, or talked about the ECE system not being set up to support services to provide what was needed. As one service provider said:

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<sup>10</sup> There was some indication in the free-text answers that some service providers interpreted this question as asking whether there were regulatory requirements they could not meet, as opposed to demand in the ECE market.

*“Our education systems discriminate against tamariki with additional needs. We have been told multiple times not to take on more tamariki with additional needs as we have quite a few and the Ministry cannot support them. We get a lot of children who have been turned away from other centres because there simply is no support or the tamariki and they can be extremely physical and unsafe.” - owner of an ECE centre (private)*

## Many service providers said that cost was the main barrier to service expansion

178. Among service providers who said there were unable to meet existing demand, a few commented about why they were unable, or unwilling, to expand their services to meet that demand.

179. The most common reason given for not being able to expand their services was financial ability. A few service providers specifically referenced high land, property and building costs, as well as the availability of the right size or type of land in the place they wanted. Not-for-profit service providers referred to the many years it takes them to build the capital needed to expand existing services, or to open new ones.

180. A few service providers linked their limited financial ability to expand to regulatory barriers.

*“Our physical site limits our expansion, and the expense, time and regulations around opening a second site are too expensive for us to be able to consider this.” - owner of an ECE centre (private)*

## Most home-based service providers said that they could not expand because of workforce supply and the impact of qualification requirements

181. Home-based ECE providers submitted that over the past five years home-based services have declined by almost 50 per cent. All but one of the home-based service providers who filled in a questionnaire (13 submitters) said that there was demand that they could not meet.

*“We always have at least 250 families on our waiting list nationwide.” – owner of a home-based service provider*

*“Childcare enquiries well outnumber the amount of spaces available.” – Executive Leadership Team member of a home-based service provider*

182. The decline of home-based services was a particular focus of a submission from a group of home-based service providers.<sup>11</sup> They said that participation in home-based services has declined in the same period, resulting in over 7,500 fewer children participating in home-based ECE.

183. This group of home-based service providers submitted that many of those children would still be participating in ECE, but outside of the regulatory system with no oversight or documented programme (the increase in centre-based participation does not fully explain the gap).

184. Home-based service providers said that the cause of this decline was because increasing regulatory demands have become too much for providers and educators to meet and so, far from expanding, they were exiting the market completely.

185. The owner of one home-based service provider described a specific challenge. They said the requirements meant they had to have employed a full-time Person Responsible before they had any registered educators to obtain their probationary licence, which was a risk for them. The owner said that:

*“Home-based is slow burn because of the nature of educators registering with providers...so you need to have a high level of confidence as a service provider that you can on-board at least 8 educators relatively quickly to sustain the cost of an operating licence.”*

186. Most home-based service providers submitted that the current qualification requirements were stunting the growth of home-based services because only up to 20 per cent of their educators could be unqualified or be ‘educators in training’ at any one time.

187. Home-based service providers said that while all home-based services are affected by needing to have 80 per cent of their educators qualified, rural and isolated areas were particularly affected – and these were areas that submitters said home-based

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<sup>11</sup> This was a submission from 21 home-based service providers.

services could be the most responsive to community needs. They submitted that this requirement needed to change, and that qualification requirements for home-based services in general needed to be more flexible.

## Some service providers said cost, time and regulations were barriers to innovation in the early childhood education market

188. The Review was interested in whether there was innovation in the ECE provision, and whether service providers were facing barriers to innovation. A few submitters expressly said that there was little innovation in ECE, and a few others referred all parts of the sector focussing on survival rather than innovation.

189. While many service providers gave examples of what they would like to do, most of them said that cost and time were the barriers. A few said this was because of the regulatory framework.

*“The regulatory and audit framework is too constraining to innovate and I am not funded to innovate.” - University-based centre-based ECE provider*

*“...Furthermore, the time to do quality research as our time is filled with regulatory compliance and we burn the candle most nights...” - owner of an ECE centre (private)*

*“...There are a number of curriculum and family support innovations that we have been thinking about for several years but are so busy with basic administration that we don't have the free time to develop.” - owner of a centre-based service provider (private)*

190. The examples by service providers for how they would like to innovate were in some instances ways to make their processes more efficient - technology and digitisation of manual processes and paperwork were key examples given - and in others wanting to be able to put things in place to improve the quality of their care and teaching for the children enrolled in their service. The barrier described by most service providers was cost.

191. One service provider described what they had to put in place to be able to offer nature programmes, and that the cost to parents was higher than they thought it would have been if different regulatory settings had been in place.

*“[the regulatory framework requires]...that all ECE programmes must operate from licenced premises. We currently operate Nature Programmes [Forest School] which must operate as an excursion from a centre. Currently all children on this excursion must*



*contribute to the operating costs of the centre even though they never attend. If you investigate how countries such as Denmark manage this there would be less cost to parents...”- owner of a centre-based service provider (private)*

192. A few service providers talked about their potential to be a key point of intervention in their communities and in the trajectory of children’s lives if they were able to provide wrap-around support to families. They expressed a desire to provide more services (such as health) on site or more education to parents. This was supported by other submitters, such as NGOs.

193. One service provider described what they would like to be able to do in this regard, with the barrier being cost and staff having no space in their workload.

*“We have some centres in low socioeconomic areas where there is extensive poverty, child protection issues, gangs etc ... We would like to be able to take a whole of Whānau approach and be able to support the families of our tamariki to flourish and achieve their own aspirations...This will increase engagement in ECE...if patterns of attendance are set in ECE they will more likely continue in the compulsory sector...”- Executive Leadership Team member of a centre-based service provider (community-based, not-for-profit)*

# Chapter four: Picture perfect – what problems do parents and service providers face when accessing information?

## Key messages

Submissions to the Review told us that...

### *Parents*

- 80 percent of parents said they **had easy access to the information they think is important** when making a decision about their early childhood education options. **20 percent said they did not have access to the information they thought was important.**
- A few parents said that **access to information was not relevant because** they were unable to access the options they wanted.
- A few submitters, mainly NGOs, said there was a **need for greater transparency** from service providers to parents, and that it was difficult for parents to be able to assess what “quality ECE” looked like, or to understand the importance of “quality ECE” for their children’s short- and long-term wellbeing and development.
- **Half of parents said they did not know how to complain** about their early childhood education service, although those that had complained were satisfied with how it was handled.

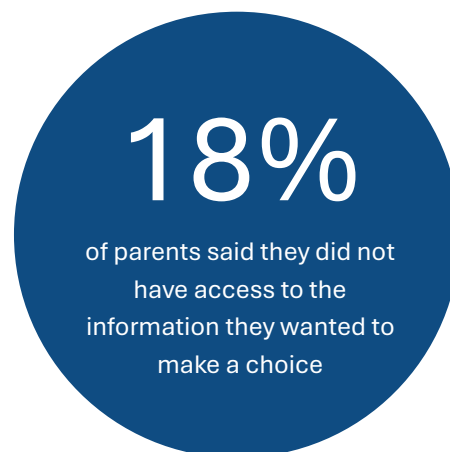
### *Service providers*

- Many service providers said they had **difficulty accessing the information they needed to understand and meet licencing requirements.**

Some parents said that they did not have access to the information they needed, and half said that they did not know how to complain about their early childhood education

### **Information to make informed choices about their early childhood education**

194. Most parents said they had access to the information they thought was important when considering their options for ECE, with just under 20 per cent of parents saying they did not have access. Similar proportions said accessing the important information was 'easy', with just over 20 per cent of parents saying it was 'not easy' to access the important information.



195. How parents ranked the importance of different types of information is shown in diagram five below. In line with parents' responses to other questions, knowing who will be spending time with their children and factors influencing their children's safety were deemed particularly important.

#### **Definition reminder:**

'most' means 50% or more ( $50\% \leq x$ )

'many' means between 30% and 50% ( $30\% \leq x < 50\%$ )

'some' means between 12% and 30% ( $12\% \leq x < 30\%$ )

'a few' means less than 12% ( $x < 12\%$ )

## What do parents want to know when choosing an ECE

Parents were asked to rate each type of information from "Very important" to "Not important"

■ Not important ■ Slightly important ■ Important ■ Very important

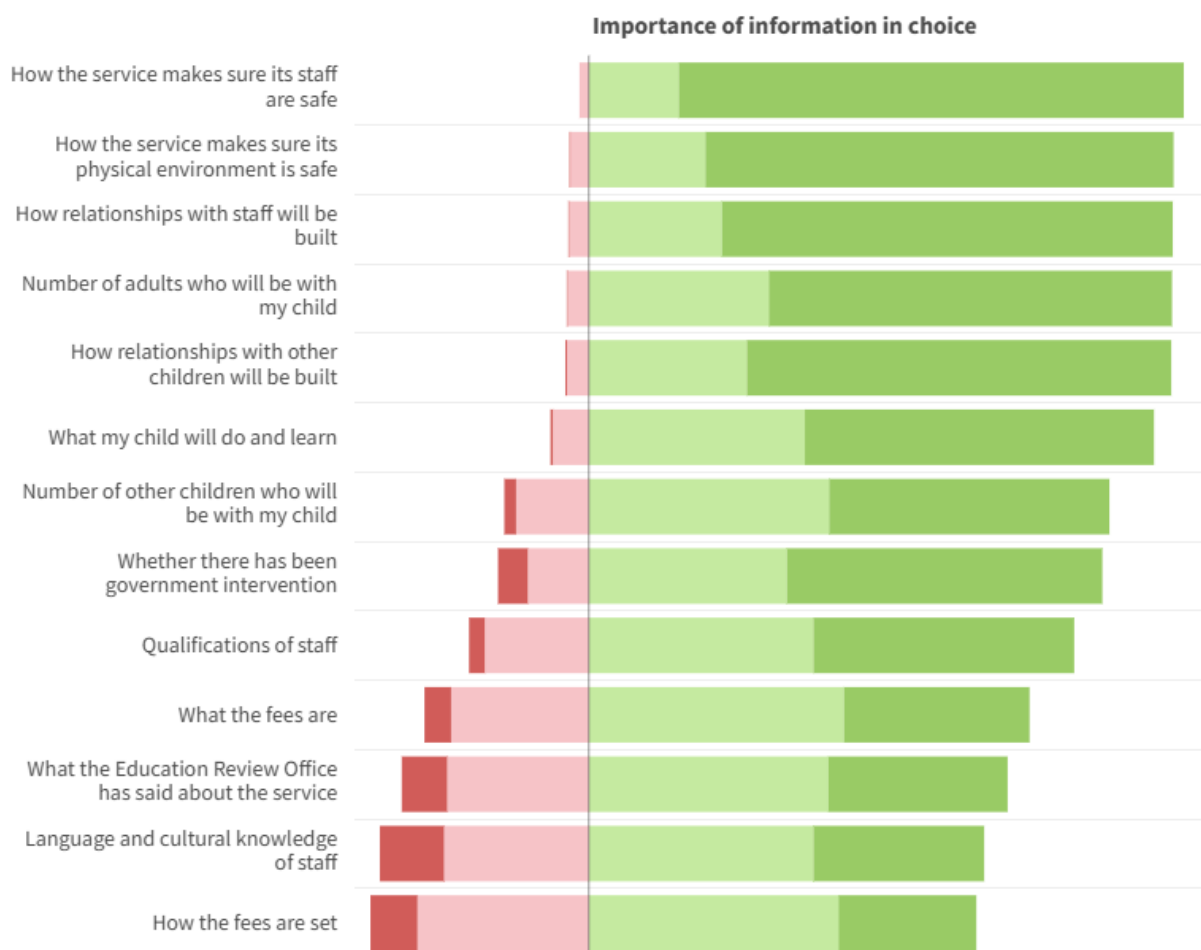


Diagram five: the importance of types of information to parents when choosing an ECE

196. While most parents had easy access to the information they wanted, a few did not, or remarked that access to the information did not matter when there were no spaces at the ECE they wanted based on the information they did have.

*“It was time consuming to find the information to inform our decision. It isn't standardised...”*  
– parent

*“All these things are important but in reality almost pointless as it is so hard to find a sport for our children...”* – parent

197. Those parents who had access (and easy access) to the information they needed when making a choice of ECE reported being more satisfied with their eventual

choice than those parents who reported not having access to the information they needed when making a choice.

198. Parents who sent their children to Playcentre were the least likely to have easy access to the information they needed when making a choice of ECE, whereas parents who sent their children to home-based services were the most likely to report having easy access to the information they needed.
199. A few submissions from representative groups and service providers said that some parents did not understand the value that ECE can have for their children and that it was hard to assess the quality of ECE when looking for one.
200. One submitter, an academic and ECE consultant, said that the consumer in the ECE environment was the child who must rely on their parents to decide on the product that they would receive. They submitted that while some parents would have a good understanding of children's ECE and care needs, many would not and would have difficulty discerning false advertising from truth.
201. A few submitters said that there was, in general, a greater need for transparency between service providers and parents. These submitters said that service providers and the Ministry of Education needed to provide information more proactively to parents, particularly where there was compliance action taken by the Ministry of Education.

*“Transparency is a cornerstone of maintaining trust between ECE providers, parents, and the wider community. A such MoE [Ministry of Education] should have the authority and resources to directly communicate with parents regarding the outcomes of investigations...all licence suspensions and cancellations should be published on the MoE [Ministry of Education] website, along with detailed explanations of the regulation breaches that led to these actions...” – submission from Early Years Research Lab – Massey University*

202. A few parents made specific comments about the usefulness of Education Review Office reports about ECEs, with mixed views about whether the reports were useful in informing their decision making. Parents frequently mentioned that Education Review Office reviews and reports should continue when discussing how government should monitor ECEs, indicating usefulness. Others made specific comments that the reports were not useful when making decisions.

*“It’s difficult to provide comment on the Education Review Office because it is pretty much an unknown entity / not prominent with parents at this age. And the reports that I’ve read don’t really offer any insight about the quality or values of a Centre or school. I would consider them as a box to tick - does the Centre pass or fail - rather than an insightful guide.” – parent*

*“ERO could provide useful information, but their reports have become less clear for parents and general community to truly understand what experiences the centre is genuinely providing for children...” – parent*

### **Knowing how to complain and outcomes of complaints**

203. Half of parents said that they did not know how to complain about their ECE. Of the 15 per cent of submitters who said that they had made a complaint, most said that they were satisfied with how it was handled, with some mixed experiences described.
204. Some of those who complained described being met with respect and significant efforts to rectify the subject of the complaint while others felt “*brushed off*” or that their complaint was not well handled.
205. The ECE Parent’s Council and Office of Early Childhood Education said that parents were not seen as a valuable source of information when ensuring ECE services were following the rules. They said that the word of the service provider was more likely to be accepted by the Ministry of Education over the word of parents when parents made complaints.
206. ECE Parent’s Council and Office of Early Childhood Education said that service providers should be required to inform families in writing when their licence was downgraded or changed, or when they received a written directive from the Ministry of Education to fix a serious health and safety breach.
207. Further, the ECE Parent’s Council recommended that ECEs be compelled to provide parents with information about the name/s of the owners or who was ultimately responsible for a service and how to contact them should they need to.

## Many service providers said that they had difficulty accessing the information that they needed to understand and meet licencing requirements

208. Half of service providers said they found it 'easy' or 'very easy' to meet the requirements for a probationary licence, with the other half saying they found it 'difficult' or 'very difficult'.
209. Despite this, most service providers said that it was either 'difficult' or 'very difficult' to access the information they needed to understand what was required of them to open an ECE service. They described mixed experiences about their efforts to obtain the information they needed.
210. A few service providers described helpful interactions with Ministry of Education and/or Ministry of Health advisors and a useful website. A few said that while accessing the information and understanding what they thought was needed was straightforward, interpretation of the requirements by the Ministry of Education caused them issues.
211. A few said that they had good support from an experienced governing body or had been helped by consultants through the process.

# Chapter five: People who teach and care for children – what problems do the people who work with children face?

## Key messages

Submissions to the Review told us that...

- Submissions painted a clear picture that the early childhood education workforce **is facing significant challenges.**
- People who work in early childhood education said that the **minimum regulated standards in ECE, particularly ECE centres, needed to be higher** for them to be able to do their jobs – namely, teach and care for young children.
- People who work in ECE were supported by other types of submitters in saying that **higher minimum standards in the regulatory framework were needed.** They submitted that this would mean regulating for higher adult to child ratios, smaller service size and regulating group size. Some acknowledged workforce supply issues in this context.
- There were **a few divergent views** on these issues, including one representative NGO that said minimum ratios should be removed from the regulatory framework (but retained in funding rules).
- People who work in ECE said they **did not have capacity** to do all different parts of their jobs well, and that **higher ratios** of adults to children were needed and a reduction in compliance requirements, mainly paperwork.
- Some people who work in ECE thought that **the paperwork required to satisfy regulatory requirements was justified for children’s safety and good practice,** they just did not have time to complete it. Others said there were **paperwork requirements that should be removed.**
- People who work in ECE also said **easier to understand regulatory requirements, mandated non-contact time, a higher proportion of qualified teachers, more innovation in the sector and better pay and conditions** would also ease current pressures.
- Many submitters said the **proportion of qualified teaching staff in ECE centres needed to be higher,** while acknowledging **workforce supply issues.**
- Language immersion services, both Māori and Pacific, said **language skills and fluency** should be recognised in qualification requirements.



- Home-based services said **qualification requirements were limiting their ability to meet demand and / or to grow their services.**

## Most people who work in ECE reported burnout and limited capacity, which was supported by other submitters

212. Over 1,000 people who work in ECE submitted to the Review. Predominantly teachers, these submitters described their passion and dedication not just to the children of New Zealand but to their whole families and the future generations of children who would go through ECE.

### Definition reminder:

‘most’ means 50% or more ( $50\% \leq x$ )

‘many’ means between 30% and 50% ( $30\% \leq x < 50\%$ )

‘some’ means between 12% and 30% ( $12\% \leq x < 30\%$ )

‘a few’ means less than 12% ( $x < 12\%$ )

*“Working with children in the most critical period of their life in terms of brain development is a privilege, and I’m proud of the work we do to support our youngest learners to develop a life-long love of learning and confidence.”- teacher*

*“Teachers teach because they want to improve future generations and make an impact...”- teacher*

*“I take pride in creating positive and inclusive spaces where children can thrive and reach their full potential.” - home-based educator*

*“...Basically I love what we do and how we support our children’s learning and development with all the knowledge and experience we bring to the centre every day.” - teacher*

213. While the dedication of the people who work in ECE to children, their families and wider communities came through every submission, the picture painted was one of a workforce facing significant challenges.

214. Some submitters specifically described burnout, or being on the brink of burnout, both when describing themselves and when describing their colleagues. A few said that after many years, sometimes decades, in ECE, they were close to leaving and finding a new career. This was also described by a few service providers.

215. Submitters said that increasing expectations had been placed on them over time, mostly referring to increased amounts of documentation and checks and balances,

as well as working with higher proportions of disabled and neurodivergent children, and for a few, a higher proportion of younger children.

216. Some said that they understood the necessity of new requirements that had been introduced but that increased requirements had not come with increased staffing levels. Others said that many of the requirements were not benefiting children and their families, but the opposite, because they were taking teachers away from their core roles.
217. To complete their work, submitters described frequently completing unpaid work. A few also described poor treatment from employers.
218. Many described feeling undervalued and treated by the government as ‘babysitters’, not child development and teaching professionals with significant contribution to make to children’s wellbeing and long-term outcomes.

*“Please please please do not belittle our sector any more than it is. We are in tough times...”- teacher*

*“Teachers teach because they want to improve future generations and make an impact. I wish this was recognized and respected.” - teacher*

219. A small number of illustrative quotes indicating burnout can be found below.

*“...It’s just too, too hard.”- teacher*

*“...Do you know how exhausting it is working with children from 8 – 5 with a 10 minute break (if you are lucky) and 30 mins lunch. Children are demanding emotionally and physically and being with them day in and day out when there are just not enough teachers, is really, really tough.” - teacher*

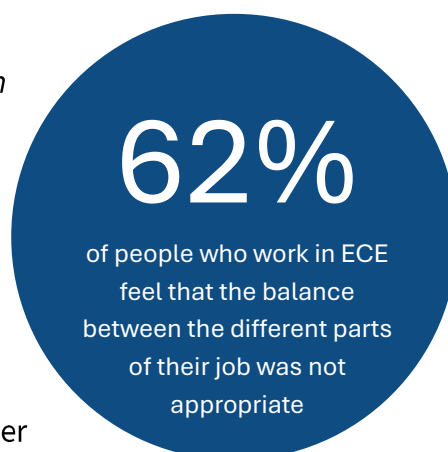
*“At the end of the day I am exhausted and stressed. I’m in a room of 18 – 20 2 and 3 year olds with one other teacher...It’s a nightmare.”- teacher*

### **The balance between different parts of the job**

220. Submitters described a wide range of factors contributing to the current state of the ECE workforce, most of which came down to not having the capacity to provide

quality teaching and positive experiences to children. The Early Childhood Council said:

*“...large parts of the early childhood sector have long been advocating for relief from unworkable regulatory requirements and conditions that stifle good practice and distract our workers more and more from their core reason for working in our sector – quality interactions and education of young children...”*



221. Most submitters who worked in ECEs (just over 60 per cent) said that the balance between the different parts of their job was not appropriate (e.g., spending time with children, preparing, completing paperwork, professional development). Multiple factors influence this assessment:

- People with more responsibility and more knowledge (person responsible, centre managers, and administrative staff) of regulatory requirements are more likely to feel that their role is unbalanced than teachers.
- People who spend more time recording information (e.g. sleep checks or hazard checks) and less time with children<sup>12</sup> are more likely to feel that their role is unbalanced.
- People who work in private (for-profit) ECE centres are more likely to feel that their role is unbalanced than people who work in community-based ECE, home-based ECE, or Kindergarten.
- Generally, the larger the centre, the more likely people working there were to feel that their role is unbalanced. The exception to this was that people who work in very large centres (licenced for 121 – 150 children) were more likely to feel that their role was balanced, on par with people who work in very small centres (up to 20 children).

222. The diagram six shows how much time teaching staff (both qualified and unqualified) spend with children as proportion of their week. It shows that most teachers spend between 80 per cent and 89 per cent of their time with children.

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<sup>12</sup> If being with children is relevant to their role.

## How long do teaching staff spend with children

Teaching staff (both qualified and unqualified) were asked how long they spend with children as a proportion of their week

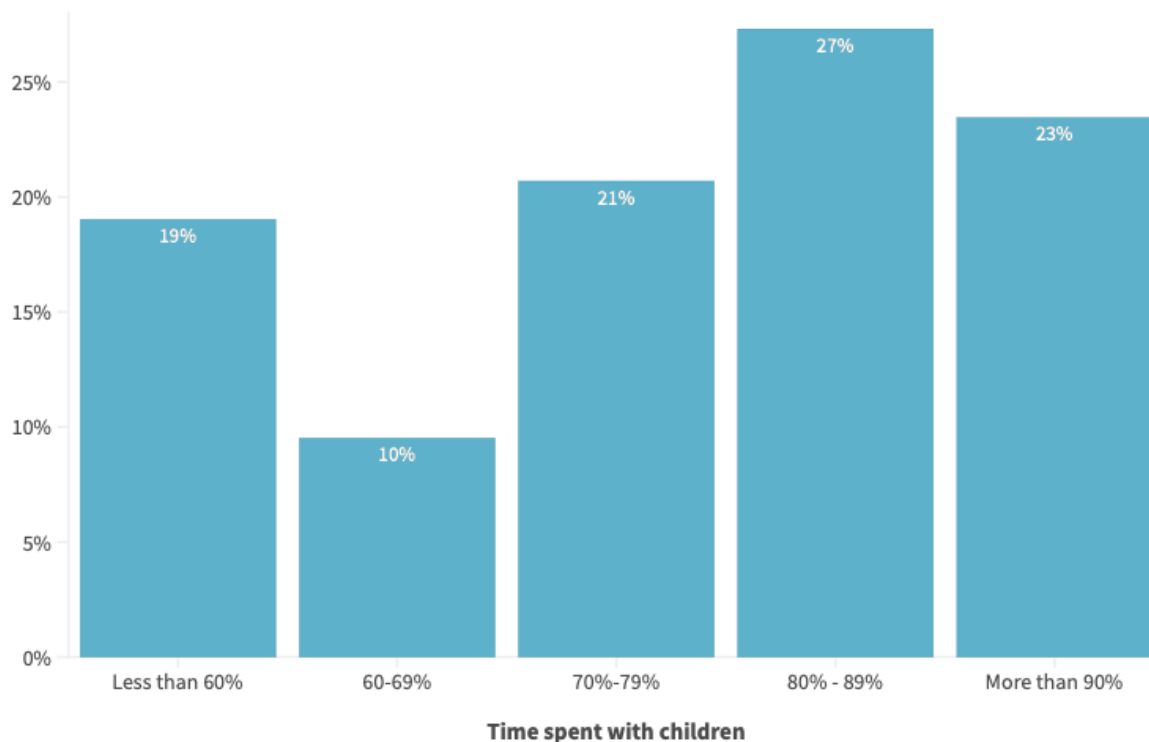


Diagram six: the proportion of their working time teaching staff said they spent with children

223. On average, teachers who work in home-based ECE spend more time with children than people who work in other types of ECE. People who work in Kindergarten and community-based ECE reported spending the next highest average amount of time with children.
224. Teachers who work in private (for-profit) ECE reported spending the lowest average amount of time spent with children, but this is driven by people either spending lots of time (over 90 per cent) or not a lot of time (less than 60 per cent) with children.
225. Teachers who work in very small centres (e.g., licensed for up to 20 children) reported spending more time on average with children than people who work in larger centres (licensed for over 20 children).
226. On average, teachers who work in Kindergarten reported spending more time on planning, assessment, and evaluation than people who work in other types of ECE. Submissions from teachers in different types of services provided insight into why Kindergarten teachers reported spending more time on planning, assessment and evaluation than other types of ECE.

*“There is such a lot of disparity in non-contact time and expectations for kaiako, between kindy and private ECE it is unfair. In no way would I say Kindergarten has too much! Private ECE centres do not give kaiako enough non-contact time to meet the expectations of documentation, assessment, professional development, research, professional growth cycle work, and environment upkeep.” – teacher*

*“It is difficult not to be envious when looking at a kindergarten or school model with the amount of time the teachers get without children so that there is time for meetings, PD etc., without cutting into personal time.” – administrative worker at a Puna Reo*

227. Teachers who work in community-based ECE reported spending the next highest average amount of time on planning, assessment, and evaluation, followed by teachers who work in private (for profit) ECE. Teachers who work in home-based ECE spent the lowest average amount of time on planning, assessment, and evaluation.
228. People who work in very small centres (licensed for up to 20 children) and very large centres (101-120 children) spend less time on planning, assessment, and evaluation than people who work in medium sized centres (21 – 100 children).

### *Staffing levels and services operating at minimum ratios*

229. Many submitters said that they did not have enough time to spend time with children and deliver the curriculum, because there were not enough staff and too many children in the centre they worked in. This is supported by the finding above that people who worked in larger centres were more likely to feel their role was unbalanced.
230. Submitters said that their jobs felt more like “crowd control” than teaching and caring for children. Some of these submitters said that the centre they worked in operated at minimum ratios.<sup>13</sup> This was predominantly a theme from people who worked in private ECE centres.

*“Due to unsafe ratios, I spend more time in crowd management than on care and education.” - teacher*

*“...two teachers is not enough when you have four younger and/or babies that need one on one care and are settling (e.g., naps, bottles kaimanaaki close by). It’s just not sustainable*

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<sup>13</sup> “Operating at minimum ratios” is ECE centres having the minimum regulatory ratio of adults to children. This is provided for in the Education (Early Childhood Services) Regulations 2008.

*and puts a lot of stress on teachers to fulfil the needs of the children. They tend to get burnt out and tricky to juggle lunch breaks and their general wellbeing.”- teacher*

231. As well as the numbers of adults to children, many people who work in ECE also spoke about the impact of group sizes and services sizes on their ability to deliver quality care and education for children. They said that the high numbers of children in one space or across a centre not only meant that staff did not have sufficient capacity, but also that it meant the environment was not suitable for children to learn and develop (as has been previously covered).

*“There is a lot of what I call ‘child farms’ out there where there is 100 children spread across 2/3 rooms. The ratios and area space are not efficient for this, they in no way aid children’s learning. It leads to major behavioural issues and emotional ones as there is no time for one on one care. Hence why I moved to Homebased care.” – visiting teacher/co-ordinator for home-based service provider*

*“...Current ratios are too minimal for teachers to provide quality teaching. The majority of our time is taken supporting children with big behaviors that endanger other tamariki...These behaviours effect all tamariki and their development, increasing stress inside young developing brains.” - teacher*

232. These submissions from people who work in ECE were supported many by representative organisations, other non-government organisations and service providers.

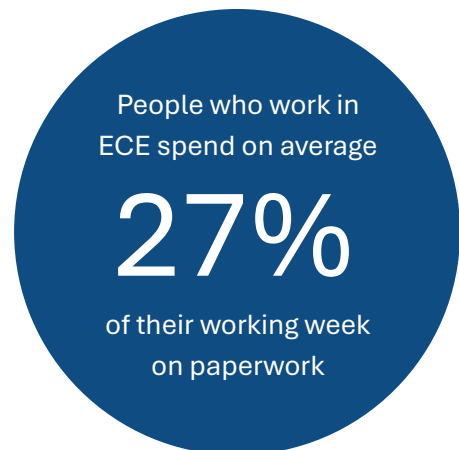
*“...Many ECE teachers, leaders, and support staff are experiencing high levels of stress and burnout. Many ECE workers are leaving the profession, leading to an alarming staff turnover rate...” - Early Years Research Lab – Massey University*

*“Managing high ratios is mentally and physically exhausting for kaiako, increasing the likelihood of burnout, and making it challenging to sustain a career in early childhood education...Maintaining lower ratios is crucial to alleviating stress, improving staff retention, and attracting new educators to ensure a nurturing environment for young children.” – Ngā Puna Reo o Aotearoa*

## Paperwork

233. Too much paperwork was cited by many people who work in ECE as a reason for not having enough capacity to deliver quality teaching and care to children.

234. Some described different paperwork requirements that they did not think were benefiting children, or their parents. These comments were made in relation to all types of paperwork, which some submitters being specific while others spoke in more general terms.



*“The overall paper work that is required has become so burdensome that it has taken the focus away from the children...there is so much more and lots seems to be unnecessary.” - teacher*

*“The amount of recording of every move we make has become over the top and is wasting valuable teaching time.” - teacher*

*“... [I would like] ECE to be more about the children and less about the paperwork.” – centre manager and teacher*

235. Some submitters described working unpaid in evenings and weekends to complete required paperwork.

*“For my staff, we prioritise being with the children but nearly all my teachers work more hours than are paid to get the non-contact tasks done and nearly all feel (as I myself do), that they are never on top of the tasks. If you work more hours than paid, you should go home feeling on top of things.” - centre manager (community-based ECE)*

*“...paperwork takes so much time away from children. Or in my case from my own family and children as I need to do after hours. This puts pressure on me, and my mental health...” - home-based educator*



236. Diagram seven below shows how much time people who work in ECE spent on paperwork requirements across a week. On average, people who work in ECE spent about a quarter of their time (27 per cent) on paperwork.

### How long do people who work in ECE spend on paperwork

People who work in ECE were asked to estimate how long they spend on paperwork each week

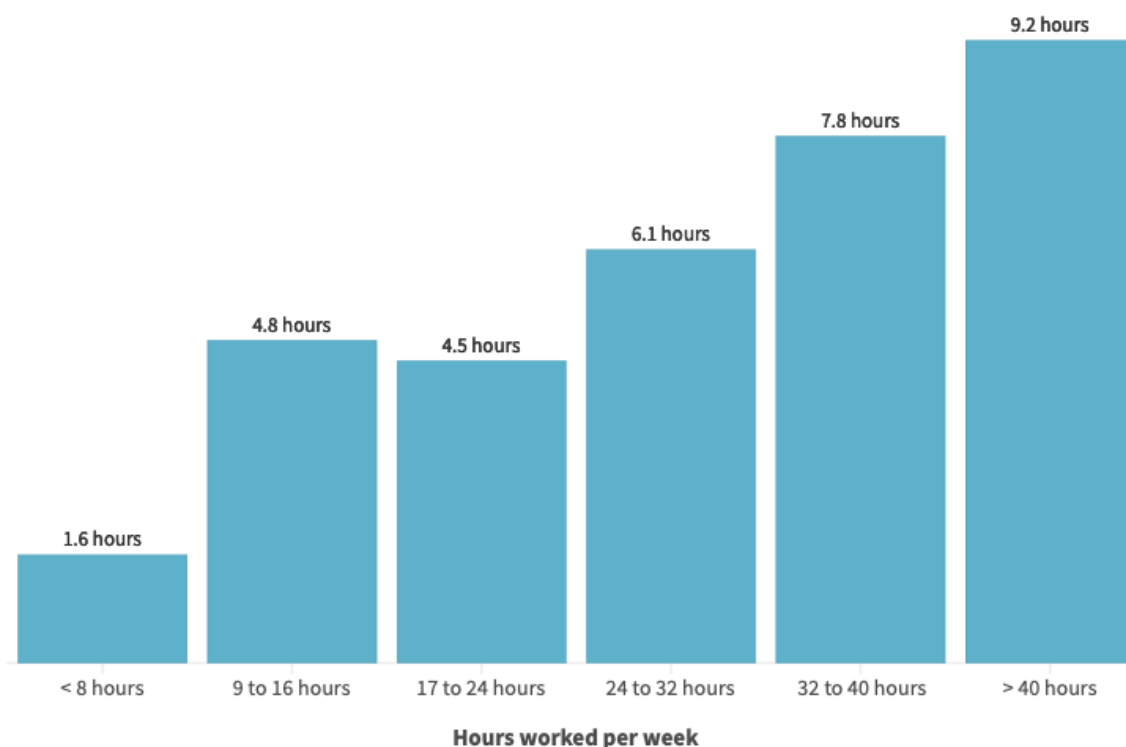


Diagram seven: how long people who work in ECE reported spending on paperwork

237. Diagram eight below shows how long people who work in ECE said they spent on each type of paperwork across a week. The most time-consuming requirements were recording sleep checks and attendance records. It is possible that submitters included the time it takes them to complete the sleep checks as well as record the sleep checks in their estimates. When asked what paperwork they thought was unnecessary or unduly burdensome, records related to sleep were not frequently mentioned.

238. It is also worth noting that while the Review asked specifically about records required for Licensing Criteria, people who work in ECE referenced a much wider range of paperwork that took up more of their time than those records (e.g., internal evaluations and reviews.)

## How long do people who work in ECE spend on each type of paperwork

People who work in ECE were asked to estimate how long they spend on each type of paperwork each week

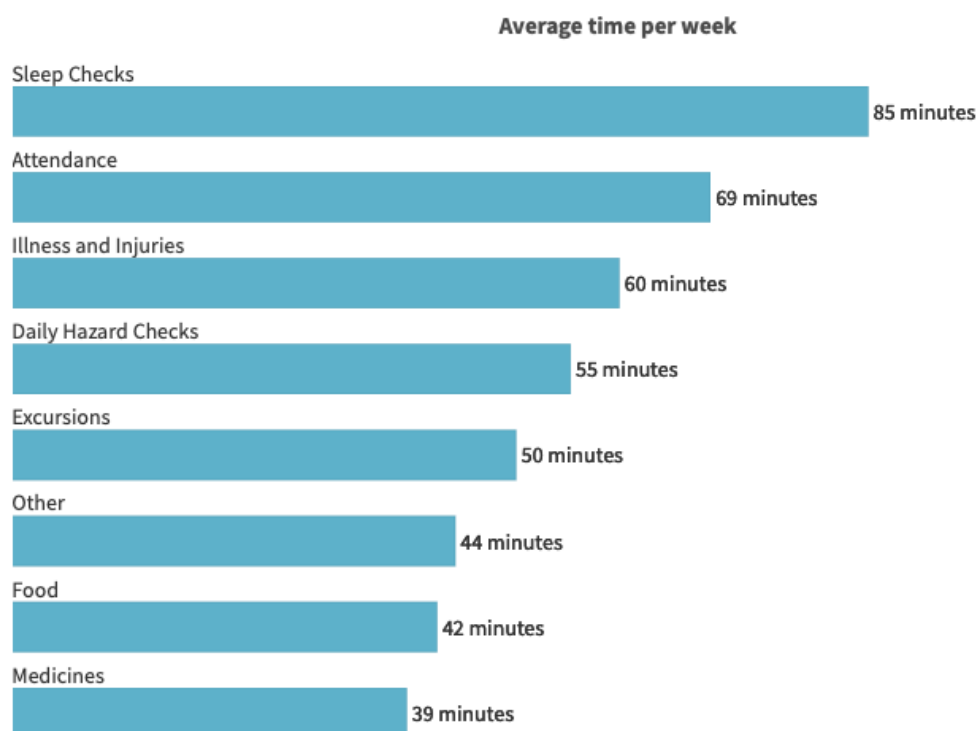


Diagram eight: how long people who work in ECE spend on specific types of paperwork

### *The value of paperwork and how the requirements are implemented*

239. While many submitters said that paperwork requirements contributed to their not having enough capacity to do their jobs well, some also said that they saw the purpose of the paperwork and thought it was necessary but did not have enough time to complete it.

*“Our paperwork expectations while time-consuming, are critical and necessary for early learning services to be safe, well-functioning and high-quality driven teaching spaces...” – teacher*

*“The only issue with the paperwork is that most teachers aren’t given enough time to do it!” – teacher*

*“...[paperwork] keep us safe. Our service does paperwork over and above what is regulatory to ensure safety for children and teachers.” – teacher*

240. A few submitters said that the way the paperwork requirements were implemented by the service led to different experiences for them on the floor, and whether there was “too much paperwork” or not depended on where they were working.

*“This is a tricky question. In other centres I’ve been bogged down by paper work and also expected to provide quality care. Resulting in doing paper work while in ratio. The expectations are insane. Where I am now the paperwork is still the same but its managed better within the centre so the pressure isn’t as much. Where I am now is most definitely the minority.” - teacher*

241. People who work in ECE had different views on the type of paperwork that was necessary and beneficial and the type that was not. Teachers disagreed on the benefits of learning stories to record children’s progress against the curriculum, with some saying they enabled tracking and assessment of the quality of teaching and children’s development, as well as meeting the expectations of parents, while others had the opposing view. A few thought that paperwork was produced primarily to meet regulatory requirements, as opposed to being what parents wanted.

242. Some submitters said that the recording of information about children’s days (sleeping, toileting, nappies etc.) was needed, and it was paperwork required for the Ministry of Education and the Education Review Office that was more time consuming and more of an issue for them.

243. NZEI Te Riu Roa (an education union) said that the burdens put on people who work in ECE by paperwork were in a broader context for teachers.

*“Teachers have for many years now been crying out for change. They are overworked and stressed, work long days, take work home, and deal with numerous demanding situations daily. It is little surprise therefore that they describe the paperwork needed as a burden.” – NZEI Te Riu Roa*

### **Regulating for higher ratios, lower service size and regulating group size**

244. To address their capacity issues, people who work in ECE said there should be different minimum standards that service providers were required to meet. Specifically, most people who work in ECE said the government should regulate for higher ratios of adults to children (thus increasing their capacity to teach and care for children and complete the required documentation or other regulatory

requirements). Some said that the government should regulate for smaller service size and introduce group size regulation.

*“Child teacher ratios that allow the children to have the support they need to grow 90% of the time, as opposed to the current ratios where the teacher is fighting fires and in crowd control mode 90% of the time.” - teacher*

245. The Early Childhood Council disagreed and submitted that the minimum ratio requirements should be removed. They submitted this on the basis that the regulated minimum ratios are *“ineffective and not able to be monitored”*. The Early Childhood Council submitted that ratio expectations could be kept in the funding settings with new funding conditions. This was part of their submission about the Ministry of Education *“stray[ing] into regulation through funding conditions in an alarming and concerning way,”* which is covered further in chapter six of this report.

### **Reduced paperwork requirements**

246. Most submitters said that paperwork requirements could be reduced, although there was no clear agreement on which paperwork requirements could be changed or reduced.

247. Parents who submitted thought that many of the documentation requirements for teaching staff were important to them as depicted in the diagram nine below (note, the questionnaire did not ask parents about paperwork required for reporting to government and relating to the funding system). There was general alignment between what people who work in ECE spent their time recording and what documentation was important to parents.

## What documentation is important to parents

Parents were asked to rate how important each type of documentation was to them

■ Not important ■ Slightly important ■ Important ■ Very important

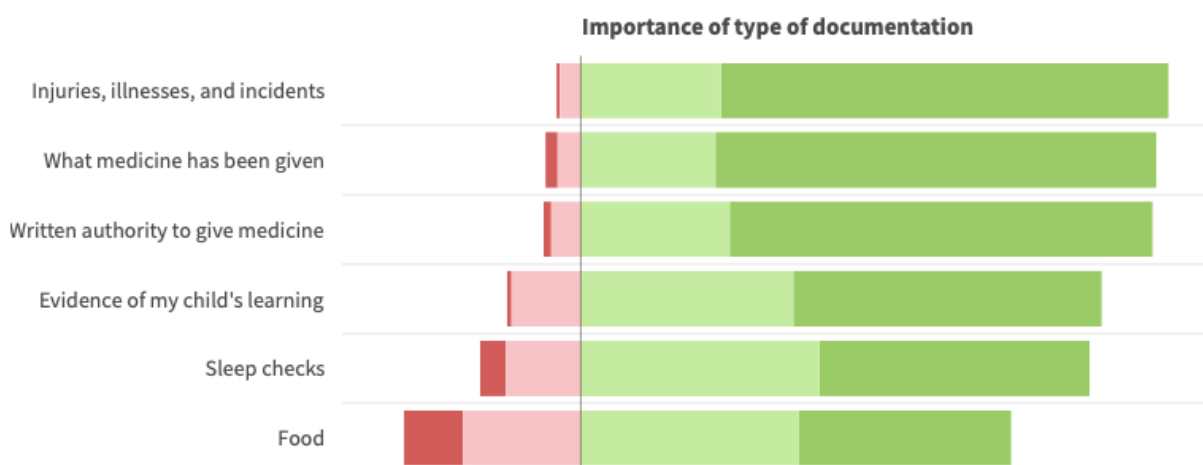


Diagram nine – how important different types of records are to parents

248. A few parents said that while the documentation was important, there was still a case of ‘everything in moderation’ and that they did not want the paperwork to be taking time away from teachers for caring for and teaching their children.

*“I don’t need novellas about my child’s doings but I want to know about injuries, food, sleep, medicine as well as any concerns about my child’s wellbeing and development.”- parent*

249. A few parents referred to specific areas where they thought the way the documentation requirements had been implemented was unnecessary.

*“The injury record keeping is ridiculous – the most minor bumps, cuts and scrapes get a form...The point of recording these was probably initially to understand whether there were systemic issues in the environment...but the recording of these by hand in books lead to no analysis that would tell you anything...” - parent*

250. A few submitters said the importance of documentation was different depending on the child, particularly if they were disabled or medically fragile.

*“As a mum of a child with food allergies, it’s really critical there is a record of food served...in the event of a medical incident it is critical that the centre know which meds have been given...” – parent*

*“Retain all requirements for ECEs to keep records of when children sleep, nappy changing, emergency drills, when food is provided, and children’s injuries. This is important for us as parents to ensure that our children are being cared for.” – Deaf Education ECE Trust*

## **Other proposals to reduce pressure on people who work in early childhood education**

251. People who work in ECE also said that the following proposals would support them in their work, several of which are covered elsewhere in this report:

- make it easier to understand regulatory requirements and the reasons for them
- more professional development
- mandated non-contact time
- better pay and conditions (including that lead to greater staff retention),
- more/better resources for children
- a higher proportion of qualified teachers
- more innovation in the sector (such as Nature ECE, more flexible hours for parents etc.).

## **Many submitters said that the composition of the workforce is not right to achieve potential benefits of early childhood education for children**

252. Many submitters, of all types, said that the qualifications of staff working with children in ECE was of critical importance to children’s learning, development and wellbeing. These submitters said that children, families and wider society would not see the potential benefits of quality ECE unless qualified teachers were working with children.

253. Submitters said that qualifications were important, not only for *“teachable moments”*, but also for care-based routines such as nappy changes. A few people who work in ECE pointed out that nappy change times were one of the only times for one-on-one interactions that a child would have during their day in an ECE centre.

254. Parents expressed clear expectations about the qualifications and qualities of people caring for and teaching their children. 86 per cent of parents said that the proportion of staff who were qualified teachers was either ‘very important’ or ‘important’ when choosing their ECE. There was a general expectation from parents that staff were qualified, with a few specifically saying they wanted more, or all, staff to be qualified teachers.

255. Parents also spoke about the qualities they looked for in ECE staff.

*“...I don't want 'nice ladies' looking after my children - I want people who I know are intelligent (tertiary level qualification) as a bottom line.” – parent*

*“I see teachers and carers as an extension of the parenting unit. They are the ones who guide and support our children so having qualified teachers whose values are aligned with ours is critical.” – parent*

*“We pulled out of one centre, when they got rid of the middle aged women who actually cared about childhood development and replaced them with "trained teachers" in order to maximise the subsidy available to them. Quality of interaction and child development deteriorated markedly. Young, inexperienced teachers were not able to engage with the kids, so we simply left and went to an alternative provider.” – parent*

256. People who work in ECE, service providers and representative organisations submitted that young children learn in specific ways and need to be supported by people who are trained in early childhood education to maximise their development and potential for better outcomes throughout life. This was said across all types of service provision, including hospital-based services.

*“Maintaining 100% fully qualified and registered ECE teachers is key to delivering a safe environment where children receive a high standard of care and education that protects their emotional safety and wellbeing” – Hospital based play specialists (service provider)*

257. NZEI Te Riu Roa, submitted that the recommendations of He Taonga te Tamaiti<sup>14</sup> be implemented to lift the current requirement for 50 per cent of staff being qualified teachers to 80 per cent immediately, with a view to increasing to 100 per cent by

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<sup>14</sup> He Taonga te Tamaiti, ‘Every Child a Taonga’ is the 2019 to 2029 Early Learning Action Plan.

2027. Other organisations submitted on the importance of teaching qualifications more generally in ECE.

*“A teacher is a teacher is a teacher!...it is not the qualifications themselves, it’s the knowledge, skills, and capability teachers I kaiako have gained through initial teacher education and practice that enable them to enhance pedagogical quality” – Te Rito Maioha, Early Childhood New Zealand*

*“Qualifications - you would not send your high school aged child to a school with unqualified teachers! Why should there be unqualified teachers in ECE, where research has shown the most important learning and development in a child's life happens in these vital years?” – teacher*

**Some submitters said there were workforce supply issues, and that these interact with qualification requirements and pay inequities**

258. Some submitters said that there was a workforce supply issue in ECE, and that different types of service provider were struggling to recruit staff or struggling to recruit the type of staff they wanted – particularly qualified teachers and permanent (as opposed to relief) staff.

*“...the relieving system is exacerbating the teacher shortage” - Executive Leadership Team member of centre-based service provider (private)*

*“I know of small rural centres that can not meet childcare demand because they can not find the right qualified teachers.” - owner of centre-based service provider (private)*



*“We would like to be able to increase the size of our bilingual centre due to high demand. We are unable to do this due to the lack of qualified registered kaiako who have a high level of te reo Māori. We have been advertising over a year for kaiako.” - Executive Leadership Team member of centre-based (university based) service provider*

259. Some linked workforce issues to the low pay and high stress of the job contributing to a small pipeline, to teachers taking relief positions and to teachers leaving the profession.
260. Te Kōhanga Reo National Trust Board, Ngā Puna Reo o Aotearoa, some Pacific services and home-based services said they could not compete with other ECEs that had higher salaries.
261. Te Kōhanga Reo National Trust Board said their engagement with whānau raised issues with the retention, remuneration and capabilities of staff and kaiako of Kōhanga Reo. They said that there was a lack of qualified and trained staff, likely due to remuneration – noting they could not compete with other opportunities including with Kura Kaupapa Māori. Ngā Puna Reo o Aotearoa said the same thing.
262. Pacific service providers noted that they have a small pool of teachers to recruit from – those who have a knowledge of Pacific world views, cultures and languages. They asserted that part of the reason for a shortage of qualified Pasifika ECE teachers was due to the limited (and discontinued) pathways for ECE qualifications in Pasifika communities.
263. Pacific services also said that English language requirements were a barrier to Pasifika teachers becoming registered. This was supported by the Early Childhood Council who said that “...*Pasifika centres are under threat of closing because of lack of suitable staff*” as a result of the English language requirements.
264. Home-based ECE services said that had declining numbers of educators and people enquiring about being an educator. They submitted that this was due to the reduced financial viability of being a home-based educator as a career option, as well as qualification barriers which have been previously covered.

## **Solutions put forward by submitters to increase workforce supply**

### *“Assistant teachers” and supporting people into qualifications*

265. The Early Childhood Council recommended that a new category of worker be established in ECE called ‘assistant teacher’ and that there should be pathways provided for them to achieve teacher qualifications while working. They provided detail in their submission about how this could work.
266. A few other organisations and service providers also supported having “assistant teachers” or other ways of supporting people to achieve full qualifications. This was put forward partly as a workforce supply measure and to broaden who could be considered as part of the required proportion of teaching qualified staff.

### *Recognising broader qualifications than ECE teaching*

267. A few submitters, particularly language immersion services, said that there should be other pathways to qualifications and to having other qualities, such as language skills, recognised.
268. Ngā Puna Reo o Aotearoa said that the current regulatory framework does not allow for Limited Authority to Teach for language teaching skills, while schools do. They recommended that Limited Authority to Teach be counted as part of the staff hour count for immersion services to reflect the importance of language skills in those settings.
269. A few submitted that primary teaching qualifications should be considered sufficient to teach in ECE, while others disagreed on the basis that working with pre-school children was specific and different work required different knowledge.

### *A 2:8 model in home-based services*

270. For home-based ECE, submitters said that changing the regulatory requirements for qualifications would ease their workforce supply issues and said that they needed a more flexible approach so they could sustain and grow their services.
271. The flexibility they asked for includes changing the requirement that 80 per cent of educators are qualified and changing legislation to allow a 2:8 model of home-based ECE. A 2:8 model would allow two educators and up to eight children, instead of the

current 1:4 maximum. One educator would need to be qualified while the other could be in-training.

272. Home-based service providers, and ECE Reform, submitted that as well as helping with workforce supply issues, this would provide greater choice for parents, bring a more diverse group of educators into the work force and providing a good opportunity for teacher training and mentoring.

### *Cautioning against regulatory solutions to workforce supply issues*

273. OMEP Aotearoa New Zealand (World Organisation for Early Childhood Education), cautioned against reducing regulatory requirements for qualifications as a response to workforce supply issues, saying that temporary measures become permanent when regulated and that they have previously lowered the quality of ECE.
274. Other organisations, and people who work in ECE, said that if staff without teaching/ECE qualifications are going to be employed in ECEs, thought needs to be given to what work they are made responsible for – ensuring that qualified teachers are responsible for most of the children’s care, learning and development.

*“I want to ensure that the discussions around using non-qualified teachers...are carefully thought out. How would centres be able to use non-qualified teachers? What would this look like for our children? We do not need any diluted practices or approaches by using unqualified staff for a qualified teacher... Could there be a pathway for teachers in training to be counted toward the ratio and funding? Where their time on the floor with a strong mentor counts toward a set of units that grants them the ability to be counted in our funding?” – centre manager*

**SECTION THREE: SUCCESSES AND  
FAILURES OF GOVERNMENT REGULATORY  
INTERVENTION**

## Chapter six: prices – what problems are there with affordability and government funding of early childhood education?

### Key messages

Submissions to the Review told us that... (note that funding levels, the funding model and the Pay Parity system are out of scope of this Review)

- Most people who work in early childhood education and service providers said that **government funding levels were not sufficient** to provide a high-quality service or respond to demand in the market.
- **Many submitters said the funding model was inequitable**, with Kindergartens being funded at higher levels than other types of services meaning the other services struggled to meet the same quality provision.
- Te Kōhanga Reo National Trust Board and Ngā Puna Reo o Aotearoa services said the funding model was **systematically discriminatory and highlighted the need for more resources**.
- Many submitters, of all types, said **the absence rules in the ECE Funding Handbook caused issues for service providers and parents**.
- Many parents and other submitters, particularly NGOs, said that early childhood education was **very expensive** / a high proportion of their income, and **unaffordable** to some.
- A few submitters said that **the way Pay Parity had been funded and implemented was causing significant financial strain** and was unsustainable for service providers. There were divergent views on this issue.
- A few service providers submitted that there were **mismatches** between the Education (Early Childhood Services) Regulations 2008 and the ECE Funding Handbook.

## Most submitters said that the levels of government funding for early childhood education were not sufficient, or were inequitable

275. While most submitters referenced levels of government funding or the funding model, it is worth recognising that some submitters may not have gone into depth or detail given that funding levels are out of scope of this Review. Pay parity settings are also out of scope of this Review. Government's funding and regulatory mechanisms work together in ECE, and therefore many submissions did cover both.

### Definition reminder:

'most' means 50% or more ( $50\% \leq x$ )

'many' means between 30% and 50% ( $30\% \leq x < 50\%$ )

'some' means between 12% and 30% ( $12\% \leq x < 30\%$ )

'a few' means less than 12% ( $x < 12\%$ )

276. The Ministry for Regulation will work with the Ministry for Education to forward relevant information and submissions for the ECE funding review.

### Insufficient funding levels

277. Either directly or indirectly, most submitters said that the current levels of government funding for early childhood education were not sufficient to provide high-quality ECE to children – including to ensure people who worked in ECE were fairly paid.

278. For some submitters, talking about the funding of ECE was linked with their view that ECE was a 'public good' – with a starting basis that high-quality ECE should be equally available to all children and fully funded by government, and/or that profit should not be permitted from ECE. Some submitters expressed concern about government funding providing profit for businesses. This is a separate theme, that is covered in chapter eight of this report.

279. Other submitters said that there needed to be higher levels of government funding. People who work in ECE talked about government funding in several ways, with a general expectation that the responsibility rested on government to ensure services had higher levels of resource available to them to provide higher quality ECE to children.

*“Simply, if you want to fix ECE, you need to spend money. If you want to be cheap, we keep going backwards...” - teacher*

280. A few people in ECE talked about funding in the context of investing in children now, early in their lives, for the individual and societal benefits of ECE to be achieved.

281. People who work in ECE (predominantly teachers) said their service providers were not funded enough to:

- Put higher ratios of adults to children in place.
- Be able to pay them fairly, including fully funding pay parity, with a few referring to their pay rates prior to government-funded pay parity being marginally more than minimum wage.
- Meet the needs of disabled, neurodivergent and medically fragile children, through additional staff but also other resources and training. More Early Intervention teachers available through the Ministry of Education was also referenced in this context.
- Have higher proportions/numbers of teaching qualified teachers, or more experienced teaching qualified teachers (this had links to pay parity as well, but not exclusively).

282. Submissions from service providers echoed some of the submissions from people who work in ECE, particularly saying that they could not provide higher than minimally required ratios, could not opt-in to pay parity or had to make trade-offs between what they saw as core parts of their service’s ability to deliver high quality ECE – mainly, higher ratios, more qualified staff, paying their staff higher salaries and offering more flexibility for families.

283. Chapter three – barriers to market entry, expansion and innovation – contained discussion about service providers saying they were not funded well enough (or did not have sufficient income) to innovate or meet demand.

284. Organisations that submitted said similar things to people who work in ECE and service providers regarding funding levels, with calls for the upcoming funding review being clear. A few organisations said that the increased regulatory requirements, were not accompanied by funding increases, or insufficient funding increases.

285. In the material submitted by Te Kōhanga Reo Trust Board and through direct engagement with them, the findings of Wai 2336 about funding models were highlighted, as well a need for further funding.

*“Running our Kōhanga on a day-to-day budget takes a lot of skill and dedication to help towards a healthy environment for learning. If we had more resources and making sure all health and safety areas are well provided will enhance each Kōhanga with so much more benefits for mokopuna, supportive whānau and dedicated kaimahi.” - Te Kōhanga Reo National Trust Board*

## **Funding model**

286. Organisations also reflected on the funding model – with a few saying that the current funding model (alongside the minimum regulatory requirements) did not incentivise service providers to deliver high quality ECE, or that it incentivised for-profit businesses to enter the sector as opposed to not-for-profit providers.

*“In NZ, funding is used in various ways...to incentivise the growth in supply of services providing long-day childcare to support women’s labour-market participation...But funding is not used well to incentivise the provision of ECE services in locations that might suit children and families best such as in schools, workplaces and employer-supported ECE provision. Funding is also not used well to ensure an adequate supply of education and care centres that are breastfeeding-friendly, and allow families to enrol in just the hours of care they need for their child and not be locked into paying for more hours than they want...” -Office of Early Childhood Education*

287. The Early Childhood Council submitted extensively on the funding model for ECE. Their submission included that the future regulation of ECE should distinguish between unfunded regulatory burdens (which would be paid for by parents and service providers) and changes to the core service, which should be accompanied by funding level increases from government.

288. Additionally, they submitted that through their own engagement to formulate their submission members frequently raised that 6-hour daily government funding limit. The Early Childhood Council submitted that funding conditions should not apply to services outside of the 6-hours that government funded service providers for, per child.

*“...It is legitimate for the government to set conditions on the funding services actually can claim, but where services are not eligible to claim funding then the government cannot use a funding condition to regulate those unfunded service hours. Yet that is exactly what the Ministry [of Education] is doing.” - Early Childhood Council*



289. Ngā Puna Reo o Aotearoa said that the burden of revitalising and authentically valuing te reo Māori falls on them, and Kōhanga Reo, however the funding is not appropriate for that role.

*“...over decades, the funding and resourcing landscape for puna reo has been systemically discriminatory and devastating for puna reo. Without the appropriate funding puna reo have not been able to attract fluent, certificated teachers. Worse, our teachers have often been enticed to higher paying roles in kura, other organisations and government departments.” – Ngā Puna Reo o Aotearoa*

### **Inequitable funding between service types**

290. The submission from Ngā Puna Reo o Aotearoa referred to above aligned with messages in other submissions that funding is currently inequitable, with many referring to Kindergartens having higher levels of funding.

291. Ngā Puna Reo o Aotearoa submitted that funding was a key way to address the disparity they saw between the importance of their role and the government funding they receive. This included submitting about current equity funding rules and full-time attendance rules.

292. People who worked in ECE that submitted about this said that Kindergartens were able to provide a quality of ECE and work environment for teachers that other service providers could not. These submitters said that funding levels for other types of service should be brought up to the same level as kindergartens.

*“...Working in a privately owned ECE centre, it’s obvious that kindergartens are more highly regarded...otherwise legislation would have been written years ago that ensured employment conditions in kindergartens and privately owned ECEs were identical...Where is the equity for tamariki in all this?” – teacher*

*“Align funding...the same as kindergartens.” - teacher*

## Some service providers said that funding requirements were complex and time consuming to meet, or that there were mismatches between the Funding Handbook and other regulatory requirements

293. Many submitters, mostly service providers and people who work in ECE, submitted that the absence rules do not work for parents, are an administrative burden on all parties (including parents) and that service providers should not lose funding because of children taking breaks from ECE.

*“...Frequent absence rules requirements are onerous for whānau and administration. There is too much duplication in reconfirming for hours absent, or days missed on sickness, having a break, kaupapa with whānau. Get rid of these oppressive absence rules that create far too much documentation. Tamariki should be able to have short breaks away and centres should not be penalised in funding rules because of it.” – Ngā Puna Reo o Aotearoa*

294. Other requirements in the Funding Handbook were also referred to as being administratively burdensome, with service providers referencing the frequency of reporting to the Ministry of Education that was required.

295. A few submitters said there were mismatches between the Funding Handbook and other regulatory requirements. While some did not go into detail, other submitters provided examples – including about qualification requirements of staff across the two sets of requirements.

Many parents and other submitters said early childcare education is expensive, and unaffordable to some

### **Prices being paid for early childhood education by parents**

296. The Review asked parents to provide information about how much they paid (either weekly or monthly) for ECE. The Review also asked ECE service providers to provide information about their fee structure. Both questions were optional.

297. 675 parents (87 per cent of submissions from this group) provided information about how much they paid for ECE. 37 service providers (35 per cent of submissions from this group, approximately one per cent of total providers in New Zealand) provided information about their fee structure.

298. The following is a summary of the information we learned from the information provided by parents and service providers:

- On average, parents reported paying approximately \$190 for ECE per week (an average of approximately \$140 per child).
- The highest earning households pay approximately three times more per child for ECE than the lowest earning households.
- The younger the child, the higher their fees. This aligns with current policy settings which provide a subsidy for 20 hours free ECE for children three to five years of age and requirements for a higher ratio of adults to children for younger children.
- Parents in urban centres pay more for ECE than parents in rural areas, particularly in the North Island.
- Kindergartens have the lowest fees (weekly and hourly).
- The hourly fees of other types of service providers are similar – there is no significant difference between the hourly fees for private (for profit) ECE, community-based (not for profit) ECE, home-based ECE, and other types of ECE.
- Parents pay the most per week for private (for profit) ECE, driven by the fact that children who attend private (for profit) ECE attend for more hours.

- Longer enrolled hours lower the hourly rate for ECE. Providers often provide a discounted rate for children who are enrolled for longer hours.
- Service providers rated qualified teacher salaries and property costs (including rent and mortgages) as the two most significant drivers of their prices. Regulatory compliance (e.g., meeting fire and acoustic requirements) is the least significant driver of their prices.

299. Diagram ten below shows the spread of prices paid by parents by different type of ECE.

### Prices paid by parents for ECE

● Community-based (not for profit) early childhood education and care centre
 ● Kindergarten  
● Private early childhood education and care centre
 ● Other
 ● Playcentre
 ● Home-based education and care service (licenced)  
● Kōhanga Reo
 ● Puna Reo

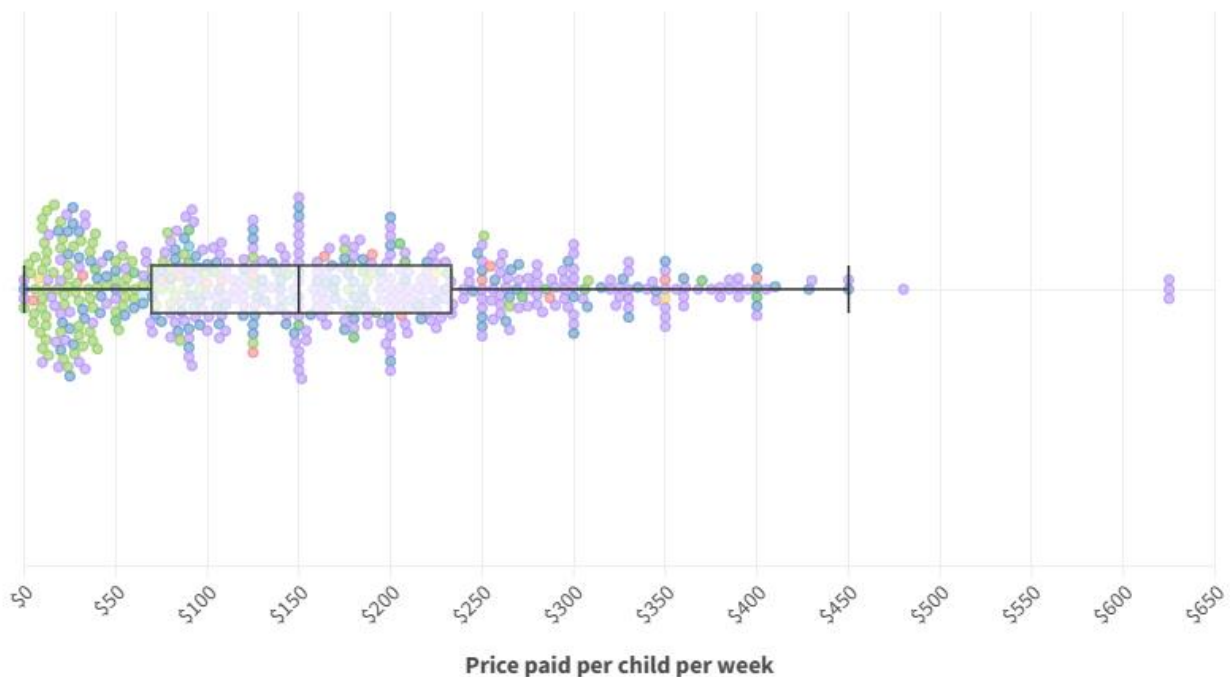


Diagram ten: spread of prices paid by week for ECE by parents by type of ECE

### Unaffordability

300. Many parents said that ECE was expensive and made up a significant portion of their weekly budget, with some saying it exceeded their housing costs.

*“It would have been cheaper for me to try to buy another house and have people live in the house for free as long as they cared for my child during the week – actual insanity” – parent*

301. As discussed in Chapter one, one of the main reasons most parents send their children to ECE is to undertake paid work. However, some parents said that they barely broke even after paying for ECE, and a few said that ECE cost more than what they could earn by working.

*“I basically go to work to earn \$100 a week due to our money going to ECE bills” – parent*

*“Cost of childcare means I have to work extra to pay” – parent*

*“We are struggling and I need to go back to work but can’t because we can’t afford [the fees]” – parent*

302. Many of the organisations that submitted, and a few service providers, said that poverty and low socio-economic status locked children out of quality ECE, or that parents had to pay much higher fees get the type of care they wanted because the more expensive ECEs provided a better experience for their children.

*“Some services offer better ratios by charging higher fees to parents. Conversely, this means that tamariki of whānau facing the greatest levels of socio-economic deprivation are often in centres that apply minimum regulatory standards.” – NZEI Te Riu Roa*

*“...the main reasons for ‘priority’ families not taking part in ECE were, in order of frequency, the cost of attendance, local accessibility to ECE that suits family needs, lack of inclusiveness of ECE services, and a range of personal reasons and home circumstances...” – Wilf Malcolm Institute of Educational Research*

### **The 20-hour ECE subsidy**

303. Some parents said that 20-hour ECE subsidy provided a smaller than expected discount to their fees because their service did not pass on the full subsidy over to parents.

*“They were unable to provide a breakdown of costs when I queried the 20 free hours discount. I had thought this discount would make a significant difference the cost of ECE fees as my son only attended for 22 hours, however the difference ended up being a reduction of approximately 1/4 of the cost. They were unable to explain why” – parent*

*“It was particularly frustrating to see that much of the ‘20h free’ discount is pocketed by the centres and the saving is not passed on to families.” – parent*

304. An analysis of the information provided by service providers confirmed that some charge a higher hourly rate for a child's hours over and above the 20 hours free ECE subsidy than they would charge if a child were not using the 20 hours free ECE subsidy.
305. Some submitters wanted more transparency from service providers about how fees were set.

*"Make them have a better fee breakdown so [we] can see where the fees go" – parent*

306. A few submitters (including parents and representative groups) proposed a cap on the fees charged by ECE, or a cap on the profits earned by ECE providers. A few other submitters suggested that the government make rules to ensure that the 20-hour ECE subsidy be passed directly on to families.

## A few service providers said that the way pay parity was funded and implemented put service providers under more financial strain

307. Many parents and people who work in ECE said that ECE teachers and other workers should be paid more, have pay parity with primary school teachers and each other (referencing Kindergarten teachers) or have what submitters referred to as "fair pay." However, submissions from service providers and their representative groups showed that they were struggling to do this, including to finance pay parity.
308. The Early Childhood Council said that pay parity *"is the single most vexatious challenge facing Education & Care services."* They said that the funding conditions were complex and required high levels of resource and expertise of service providers but cited that the overarching complaint of the sector was that the approach *"comes at the expense of ECE centres' viability."*
309. They provided a detailed submission on why this was, with the significant reason being the way the scheme had been funded by government, and the insufficient levels of funding given. They concluded that *"ECE operators deem Pay Parity downright unaffordable and unsustainable."*

310. In line with the Early Childhood Council submission, a few service providers said that pay parity has caused financial strain, or that they have been unable to opt in to pay parity because they cannot afford it.

*“Pay parity – don’t get me wrong I think that this is a great idea but the affordability of it is unsustainable for a small stand alone service, yet if we don’t offer it we don’t get the qualified kaiako we need to operate our service...” – owner of ECE centre (private)*

*“Unfortunately, many of our Pasefika ELS [Early Learning Services] are unable to opt in for Parity or Pay parity as it will struggle to cover the costs for meeting the pay scale (up to step 6) required for qualified and registered teachers.” – Pacific service provider*

311. Te Kōhanga Reo National Trust Board noted that compensation for Kōhanga Reo staff is not competitive with other opportunities, and that there is no pay parity with kaiako for Kura Kaupapa Māori.

312. A few service providers talked to the financial trade-offs they made which meant they could not offer their staff full pay parity.

*“We would like to recognise our qualified teachers by offering ‘full pay parity’, but cannot as we choose to operate at higher than MoE minimum ratios. Although our teachers understand this, and agree with our values, they absolutely deserve full pay parity.” – Executive Leadership Team member of centre-based service provider (community-based, not for profit)*

*“Teachers and parents want better ratios – we cant financially afford this. Our wage costs with pay parity are high, and we already employ 1.5 teachers over the minimum ratio requirements.” – business owner of an ECE centre (private)*

313. A few submitters said that the pay parity scheme had introduced perverse incentives for ECEs to employ teachers with less experience because their wage bills would be lower and that ECEs who chose to have higher numbers of experienced qualified staff were under more financial strain for trying to provide higher quality ECE.

*“The system [pay parity] has several inherent disadvantages...ageism...centres are incentivised to recruit registered teachers at the lower end of the wage scale to reduce costs...penalising experience: it penalises the very centres that should be rewarded – those employing the most experienced teachers to raise the standard of education...” – centre-based service provider (private)*

*“There is no funding recognition within the structure for full pay parity which allows for specifically targeted funding centres who employ a high number of teachers on the highest step.” – owner of centre-based service provider (private)*

314. A few service providers and their representative organisations said that the way pay parity has been implemented has caused confusion and issues for service providers, as well as saying that a lack of commitment from the government about “*ongoing pay parity*.” A few service providers said that pay parity recognised qualifications over other qualities which was not fair to other highly competent members of their teams.

*“The pay parity system slavishly rewards qualifications and tenure in roles...rather than quality of teaching. Specifically, we have some unqualified teachers that are better teachers than qualified/registered teachers but the funding system and regulations do not economically allow us to pay them what they are worth or to pay poor (but registered) teachers less...” – owner of a centre-based service provider (private)*

315. Other service providers said that they were supportive of pay parity – that it meant they were able to pay their staff more fairly and that it recognised them as a profession comparable to other teachers. A few of these also referenced the financial strain of the scheme.

*“Pay parity within the ECE sector ensures we are attracting professionals into our career that meet a high level of education and experience to fulfil the role of Hospital Pay Specialist. Sitting within a healthcare setting without regulation around pay parity would undoubtedly impact the ability to attract quality staff, in turn impacting the delivery of high quality education and care for the vulnerable children in our care.” – Hospital Play Specialist Team*

### **A few people who work in ECE said that the introduction of pay parity stabilised the sector and that it was the reason they remained in the profession**

316. People who work in ECE said pay parity needed to be retained, with some referring to the introduction of pay parity as the reason they remained working in ECE. A few said that before pay parity had been introduced, they were on salaries of little more than minimum wage.



## **Pay parity and home-based ECE**

317. Home-based service providers said that a lack of pay parity for home-based educators and Visiting Teachers (presumably with other ECE teachers) meant that they were struggling to recruit and therefore meet demand and sustain their services. This was also submitted by Visiting Teachers.

*“The inequity the Pay Parity scheme has caused between Home Based Visiting Teachers and Centre Based Teachers...is preventing us from growing to meet the demand...” – home based ECE service provider*

*“Pay parity get onto it for Visiting Teachers...” – Visiting Teacher*

*“...I believe you will lose many VTs [Visiting Teachers] in homebased education if things don't change soon. Pay them what they deserve...” – Visiting Teacher*

# Chapter seven: policy performance – what problems are regulatory interventions

## Key messages

Submissions to the Review told us that...

- Most submitters said current regulatory interventions from government were **not achieving the right balance** between prescription to ensure children’s safety and positive learning outcomes, and discretion to enable service providers and people who work in ECE to be able to deliver what was needed.
- Submitters said requirements were too prescriptive, there was **excessive paperwork and multiple layers** of regulation that had become confusing.
- There were divergent views with some submitters saying that the content of the regulatory framework was fit for purpose and achieved the right balance, and it was its **implementation that caused the issues**.
- Most submitters said the regulatory requirements for ECE had been **implemented poorly**. This poor implementation was evidenced by submitters through references to too many layers of regulation and guidance, inconsistent interpretation of requirements, duplication of roles across agencies and unsupportive approaches from agencies with regulatory functions.
- A few submitters described conflicting regulatory requirements, but the bigger issue described was different agencies with regulatory functions **interpreting the requirements inconsistently**, or different people in the same agency interpreting the requirements inconsistently.
- While service providers and people who work in ECE rated their **interactions with Ministry of Education and the Education Reviews Office generally positively**, they described approaches too focused on compliance and that sought to find fault.
- A few submitters said the **Education Review Office should cease its compliance focused role** and refocus on educational quality.
- Submitters said the Ministry of Education **should shift into providing more support to services**.
- Submitters said they thought the relevant parts of the **Ministry of Education was not sufficiently resourced** to fulfil its role well.

## causing or failing to solve?

Most submitters indicated that the current regulatory requirements did not achieve the right balance between prescription and discretion

### Definition reminder:

‘most’ means 50% or more ( $50\% \leq x$ )

‘many’ means between 30% and 50% ( $30\% \leq x < 50\%$ )

‘some’ means between 12% and 30% ( $12\% \leq x < 30\%$ )

‘a few’ means less than 12% ( $x < 12\%$ )

318. Many service providers, people who work in ECE and parents submitted that the regulatory framework did not achieve the right balance between appropriate checks and balances to ensure children’s safety, wellbeing and good learning and development outcomes, and enabling service providers and staff the discretion to apply their professional judgement.

319. These submissions said that the regulatory requirements, or their implementation, had become overwhelming and too complex.

*“The regulatory framework has been designed with good intentions, but collectively creates complexity that overwhelms ECE providers and interferes with quality teaching and learning/ECE provision for our children.” - collective of service providers and non-government organisations*

*“...I think there are far too many ECE rules that are over protective and really feel sorry for ECE centres...I understand the necessity and need of regulations / processes but just appears from an onlooker/parent that it’s a bit overkill...very highly rule and policy bound practices in ECE that I see just need some simplification” – parent*

320. Many of these submitters’ reasons for saying the right balance had not been achieved were about volume – the volume of requirements, the volume of documentation required to ‘prove’ the requirements, and the volume of detail put against each requirement in the licensing criteria.

321. One business owner of a private centre-based ECE described their commitment to delivering high quality education and care to children in their community was being made difficult by the volume of compliance requirements.

*“...These questions have highlighted to me how much I have to comply, negotiate and kurtow, in owning, operating and teaching in my ECE. I love children...I adhere to the rules, regulations and (often) unnecessary over regulation in order to teach, care for and love babies and children in my community and their families. It is hard. It is ongoing...I see so much [not] working with ‘the system ...’ – owner of ECE centre (private)*

322. A few submitters said that the prescription of the current regulatory requirements did not recognise that ECE provision is market based.

*“The current Education regulations do not acknowledge the private nature of the service providers or enshrine the important principle of providers having flexibility over how they meet the educational outcomes, nor does it explicitly recognise their fundamental need to remain financially viable...Government should approach a private industry from a perspective of ‘seeking to influence’ not ‘seeking to control’.” – Early Childhood Council*

323. Other organisations submitted that the current regulatory requirements were too prescriptive for the way their teaching philosophy worked – this point was made particularly by those leading and working in parent-led ECE (Playcentre) and home-based ECE.

324. A few submitters drew distinctions between the importance of regulatory requirements to ensure health and safety (which submitters included ratios of adults to children in), child protection and building suitability, and regulatory requirements that were about the day to day running of ECEs.

*“...The system’s design should enable a robust, risk-based regulatory approach that supports the success of quality ECE for children and providers and the delivery of quality teaching and learning. At the same time, it must reduce / minimise unacceptable risk to children.” – collective of service providers and representative organisations*

325. The Early Childhood Council submitted that significant regulation removal was required, which would represent moving to a much more discretionary system. Some of the specifics of what they thought should be removed will be covered in sections below.

326. A few submitters provided line-by-line assessments of the licencing criteria, or detailed consideration of several licencing criteria, with recommendations for changes or removal. These line-by-line assessments are being considered by the Review team in their work. Most of these line-by-line assessments were recommending changes to the licencing criteria, while one predominantly recommended the removal of most licencing criteria.

## Most service providers, people who work in early childhood education and organisations raised specific issues with the regulatory requirements

327. Service providers, people who work in ECE and other interested people were asked in the questionnaires to provide a view on which areas of the regulatory framework needed 'major change' or 'minor change' or 'worked well'.

328. Diagram eleven below shows where different types of submitters (service providers, people who work in ECE, and overall) thought most change was needed to the regulatory requirements. These responses only show the quantum of change submitters felt was needed in different areas. Free text answers to subsequent questions provided information on what type of change was needed.

## Perceptions of the regulatory framework

Submitters were asked to rate each subset of regulation as "Needs major change", "Needs minor change", or "Works well"

■ Needs major change ■ Needs minor change ■ Works well

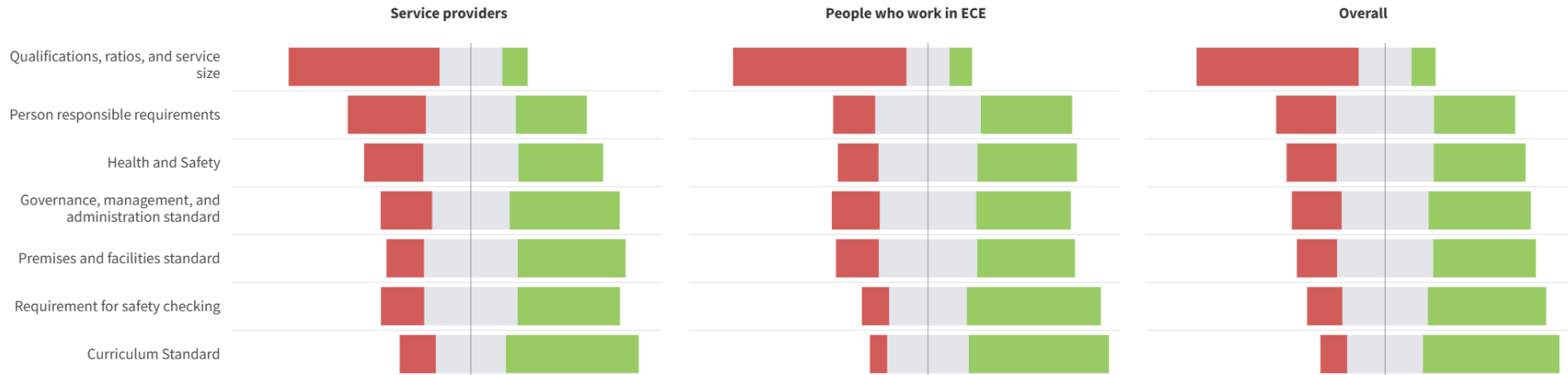


Diagram eleven: how much change, or not, submitters thought key parts of the ECE regulatory framework needed

329. Service providers and people who work in ECE were generally aligned in their rating of the changes required to regulations, with the exception that people who work in ECE thought that the qualification, ratios, and service size standard and the governance, management, and administration required more change than service providers do.
330. From subsequent answers to the free text questions, the difference in responses to the qualifications, ratios and service size standard was because most people who work in ECE thought that minimum adult to child ratios should be higher, and that the proportion of qualified teachers required should be higher (the qualification, ratios and service size standard). This was also a theme in the service provider responses, but to a lesser degree. It was not clear from free text answers what the reason for the difference in relation to the governance, management and administration standard was.

331. Across the requirements for ECE, people who work in Kindergartens were least likely to say that regulations needed changing. They also spent the least time recording information for compliance purposes (e.g., hazard and sleep checks).<sup>15</sup>
332. Across the requirements for ECE, people who work in larger centres were more likely to say that the regulations need changing than people who work in smaller centres.
333. Private (for profit) ECE providers and home-based providers were more likely than other providers to think that the requirements for curriculum, and governance, management, and administration, needed to change.
334. Medium sized service providers (20-49 employees) were more likely to feel that the requirements regarding premises and governance, management, and administration needed changing in comparison to small (less than 20 employees) and large (more than 50 employees) service providers.
335. Business owners (in comparison to other people in leadership positions in ECE providers) were more likely to say that changes were needed to the regulatory standards.
336. In terms of the knowledge base submitters were coming from, the Review asked how familiar questionnaire respondents were with the regulatory requirements. Most (nearly 90 per cent) said they knew the requirements well or knew a fair amount about them. Almost 100 per cent of service providers said they knew the requirements well, or a fair amount.

### **Submitters raised specific issues with specific regulatory requirements**

337. Specific issues, and in some cases, the suggested solutions raised by submitters will be considered and assessed by the Review team. The sections below provide a summary of the main regulatory requirements submitters said could either (a) be made simpler, easier to implement or removed completely, or (b) needed to be fundamentally changed.
338. Please note, this is not an exhaustive list of all issues raised across the primary and secondary legislation. It is also worth noting that most specific issues raised were

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<sup>15</sup> Which could be a function of Kindergartens often being open for fewer hours, so there is less information to record.

with the secondary legislation, either the Education (Early Childhood Services) Regulations 2008 or the different sets of Licensing Criteria.<sup>16</sup> Further, issues raised with the ratios, qualifications and service size standard<sup>17</sup> and some of the premises and facilities standard<sup>18</sup> are covered elsewhere in this report and so not repeated here.

### *Licensing – regime primarily contained in the Education and Training Act 2020*

#### The model

339. A few submitters raised issues with the licensing model. These submitters said that the model did not have sufficient incentives for quality, or that the model did not provide the Ministry of Education with the right tools to ensure quality.
340. ECE Reform submitted a detailed proposal for an alternative to a licencing model; a contracting model called ‘Quality-based Contracting’. They said this is a completely new model in many respects, not designed to be implemented within current structures, but a new purpose-built approach. They submitted that this alternative model would intend to motivate service providers to provide quality service, rather than drive regulatory compliance – and therefore achieve better outcomes for children.
341. The Early Childhood Council made several references in their submission to particular licensing criteria or groups of criteria that should not be sufficient for the Ministry of Education to take action against a provider’s licence. They submitted that a new model should be implemented where monitoring and licensing were separated – where *“a balance [is] struck between routine monitoring of regulatory compliance...and targeted interventions based on risk profiling.”*

#### Licensing in perpetuity

342. Related to submissions about the licencing model and linked to the regulatory approach of the Ministry of Education, a few submitters said services should not be licenced in perpetuity (i.e., licenced once which then continues unless the Ministry of

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<sup>16</sup> Licensing Criteria are prescribed by the Minister and published in the Gazette as per the power prescribed in Regulation 41 of the Education (Early Childhood Services) Regulations 2008.

<sup>17</sup> Regulation 44 of the Education (Early Childhood Services) Regulations 2008.

<sup>18</sup> Regulation 45 of the Education (Early Childhood Services) Regulations 2008.



Education take compliance action). These submitters said more oversight was needed. A few others supported the current system.

*“[We recommend] that ECE services undertake a licensing review every five years in addition to those taking place where there is a change of owner or a complaint.” – Coalition of service providers*

*“The rise in the number of complaints, serious incidents, and discovery of non-compliance in services which may have existed for years shows that the high-trust model for compliance in NZ ECE is not working...require the Ministry of Education to do yearly inspections of ECE services...” – Office of Early Childhood Education*

*“...There would be significant compliance costs if a service had to reapply for their licence as a matter of course.” - a collective of service providers*

#### Temporary relocation licences

343. A few service providers said that the length of temporary relocation licences<sup>19</sup> were not long enough to complete renovation works, they found the process for getting the licenses complex and they found the temporary place they wanted to relocate to was not possible because it did not meet some of the Licensing Criteria.

*“We needed to relocate for a week to allow the roof to be replaced...but we were unable to do this as there was not running hot water in the children’s bathroom [of the suggested temporary location]...We ended up having to plan excursions for each day, run shorter days... I could have understood if it was for a longer period.” – Executive Leadership Team member of a centre-based service provider (community-based, not-for-profit)*

*“The application process is very straightforward and we have done this several times when we are renovating. The problem is the legislation limits the licence to 10 months, and this may not be long enough for a full renovation. (9-18 months)” – Executive Leadership Team member of centre-based service provider (community-based, not for profit)*

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<sup>19</sup> Regulation 18 of the Education (Early Childhood Services) Regulations 2008

## *Curriculum standard – regulation 43 and associated licensing criteria*

### Regulating curriculum

344. Most submitters thought the curriculum standard works well. A few made comments about the content of the curriculum,<sup>20</sup> both that it should be more flexible and more prescriptive. There were limited comments about the impact of having curriculum regulated.
345. The Early Childhood Council submitted that curriculum requirements should not be assessed during the licencing process and that all curriculum requirements should be removed from the licencing criteria. The opposing view was provided by a few submissions from other NGOs and individuals who talked about the importance of both education and care and that regulation should ensure both are achieved for children in ECE.

*“Te Whāriki is a world class ECE curriculum. Quality in ECE needs to be about both education and care, not one or the other...” – Deaf Education ECE Trust*

*“A regulatory process that supports ECE services to deliver this curriculum for the benefits of all children should be a priority for all involved.” – OMEP Aotearoa New Zealand, World Organisation for Early Childhood Education*

346. Parents spoke about curriculum in the context of the importance of the early years of their children’s lives, with different views on how structured or unstructured ECE learning environments should be.

### Documentation

347. There were different views in the area of curriculum related documentation. While some said the documentation requirements to record children’s learning were excessive, or out of step with what parents wanted, others said these requirements were critical to ensure children were learning and developing as they should – and useful to be able to spot areas where early intervention was needed.
348. Some said it was the way the documentation requirements had been implemented, either by the Ministry of Education or their service provider, that meant the

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<sup>20</sup> Curriculum content is out of scope of the Review.

paperwork was excessive. Others said the issue was that they did not have enough non-contact time (this is covered elsewhere in this report).

*“...I believe the Learning Story Assessment is so time consuming, and we waste a lot of time on paperwork...” – teacher*

*“Some curriculum requirements like the way we carry out learning and assessment have very high expectations on teachers with limited non-contact time.” – teacher*

*Person responsible requirements – regulations, 28, 60 to 62 of the Education (Early Childhood Services) Regulations 2008*

349. Many service providers and people who work in ECE submitted about the person responsible requirements. While some people who work in ECE, and some service providers supported the person responsible requirements, many said the requirements were unclear, difficult to implement, duplicative with other requirements and did not clearly benefit children or teachers.

350. These submissions were made across people who worked in and operated different types of services. This included home-based services, whose providers said the person responsible requirements did not make sense in the context of their services.

351. A few said the requirements should be removed entirely, while others said they should be clarified.

*“Person responsible – this whole requirement needs to be looked at: the current requirements for the Person Responsible (PR) are impractical. Instead of merely outlining the operational rules for centres, the Ministry of Education is now dictating HOW we should ensure compliance and specifying WHO must be used to achieve it...” – owner of an ECE centre (private)*

*“Person responsible – does not work for kindergartens as it means a person in the office cannot be considered responsible...It just created confusion and additional paperwork.” – Executive Leadership Team member of a centre-based service provider (community-based, not-for-profit)*

352. A few submitters referenced the interplay between the Person Responsible requirements and qualification requirements in regulation 44, including that the person responsible can be primary teaching qualified. These submitters said that

allowing primary qualified teachers to act as the person responsible was meant to be a temporary measure and that should be addressed. The Office of Early Childhood Education said the following, supported as well by the ECE Parent's Council.

*Premises and facilities standard – regulation 45 of the Education (Early Childhood Services) Regulations 2008*

Acoustics

353. Some service providers said that the acoustic standards they had to meet were unclear, costly, interpreted variably by different Health New Zealand representatives or that they discovered too late that the location of their ECE made it very difficult to meet the standard.

354. A few said they had to use acoustic consultants, which added to the different views about what did and did not meet requirements.

*“...Te Whatu Ora assess acoustics. They have no expertise in this field. We pay \$3 – 4k for testing, then they get another consultant to check our consultant's work – and we have to deal with a conflict of opinions that costs us in time and money.” – Executive Leadership Team member of centre-based service provider (community-based, not for profit)*

*“I'd like to see more clarity about what acoustic standards both new and existing Centres need to meet. I'd like to see earlier engagement with centre developers throughout the build rather than turning up at the end...” – owner of a centre-based service provider (private)*

Old facilities versus new facilities

355. A few submitters said that older ECE facilities needed to be brought up to the same standards as new facilities.

*Health and safety standard – regulation 46 of the Education (Early Childhood Services) Regulations 2008*

Temperature versus ventilation versus access to the outdoors

356. Some people who work in ECE and some service providers said that it was too difficult to maintain the minimum temperature requirements at the same time as meeting ventilation requirements and allowing children free access to outdoor areas.

*“18 degrees is not achievable if we want to ensure children have consistent access to outdoors which is far more important to their health and wellbeing than the temperature of the room. It also contradicts the ventilation requirements.” – owner of a centre-based service provider*

357. A few submissions from people who work in ECE and representative organisations said that there should be a maximum temperature requirement regulated for, in addition to the current minimum requirements.

*“...although there is a minimum room temperature in early childhood centres there is no legal regulation for a max room temperature. I find this very worrying with the rising temperature in summer or heat pumps going full blast in the winter...you are more likely to die from overheating than from hypothermia...” – teacher*

#### Playgrounds and outside spaces

358. Some submitters said that the current health and safety requirements, particularly about playgrounds, meant that children were not being supported to take age-appropriate risks.

*“Too many health and safety playground rules! Children have less opportunities for safe risks, spatial awareness, gross motor skill development and fun.” – teacher*

359. One submitter, an academic and ECE consultant, provided a detailed proposal for changes to NZS5828:2015 that they said would increase the efficient use of outdoor space in ECEs and reduce unreasonable costs.

#### Food safety

360. Some people who work in ECE and some service providers said the requirements for food preparation and supervision of eating children were too rigid and that there have been unintended consequences. These unintended consequences included impacts on the development of children’s speech and language, which submitters said was linked to chewing hard foods. Many of these submitters acknowledged the tragic circumstances that led to these changes being made.

361. A few submitters said services had stopped providing food because of the requirements or said that the implementation of the requirements was problematic.

*“The choking guidelines have been very challenging. I understand the need, but there has been mass confusion which has led centres to over policing lunchboxes and children going hungry. Also means providing food for tamariki (like with gardens and fruit trees in centres) and baking is more challenging, so many centres don’t do these things anymore.” – teacher*

362. A few submitters, predominantly representative organisations, supported the current requirements staying in place, saying they were a good protection for children, while some said there should be more stringent requirements for first aid qualifications as an alternative response to choking risks.

363. The Early Childhood Council said the Ministry of Health guidelines, which these requirements come from, should be *“reclassified as guidance, and not a regulatory basis to cancel a licence.”*

364. A few submitters said the food safety requirements imposed by the National Programme 2<sup>21</sup> were too stringent for ECEs, whose primary purpose was not food production, or were inappropriate as they addressed the wrong risks. Submitters said there was an excessive amount of documentation, and again said that some services had stopped food provision because of the requirements placed on them.

*“The Ministry of Primary Industries requirement to register kitchens under a National Programme level 2...is expensive and has an excessive level of documentation and rules. In our view, the requirements are not fit for purpose.” – Steiner Education Aotearoa New Zealand*

365. Parents who mentioned food focused on the availability of healthy food and ensuring all children have enough food to eat during the day.

Other health and safety standards

366. A few service providers and people who work in ECE said that the emergency drill requirements were too rigid and too frequent. Others said that the volume of health and safety requirements for excursions were too great.

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<sup>21</sup> National Programme 2 (Food Act 2014) is the food safety standard for “low-risk food businesses” <https://www.mpi.govt.nz/food-business/running-a-food-business/national-programmes/steps-to-national-programme-2/>

367. One coalition of service providers said that restraint of children in ECE should be included in the regulatory framework to protect children and provide clarity to people who work in ECE.
368. A qualified teacher in a hospital-based ECE said that many of the health and safety standards were not applicable to their services, while others were already reported via Ministry of Health reporting requirements.

*Governance, management and administration standard – regulation 47 of the Education (Early Childhood Services) Regulations 2008*

369. A few people who work in ECE, service providers and representative organisations thought that governance requirements should be strengthened, and that current governance practice across ECEs was relatively poor. The Early Childhood Council said the regulation of governance should be reconsidered, and potentially replaced with training and support or directions.
370. Submitters of all types said it would be useful for the Ministry of Education to publish a set of baseline policies and/or procedures, so providers do not have to second guess and duplicate effort.
371. The ECE Parent's Council and Office of Early Childhood Education submitted that there should be additional requirements for the involvement of parents, submitting that organisations that operate community-based services should be required to involve parents in governance and decisions concerning their service.

*Safety checking / police vetting requirements – section 25 of the Education and Training Act 2020*

372. Many service providers said police vetting took too long, causing employment delays. Some said ECE teachers should be prioritised for police vetting, while some said that the Australian Blue Card model should be considered for adoption in New Zealand.
373. Most parents talked about the high importance of safety checking requirements, and some organisations advocated for the requirements remaining the same. NGOs submitted in strong support of current safety checking requirements.

## **Many submitters said that the bar set by current minimum regulatory requirements was too low**

374. Most people who work in ECE, a few service providers and many representative organisations said that current minimum requirements in the regulatory framework were too low for children to learn and develop as they should, and in some cases were actively damaging children’s development and wellbeing. These issues have been mostly covered in other chapters of this report, particularly chapters two and five.

375. The common submissions about this were that the minimum requirements were not based on evidence of what was in the best interests of children, and what was needed to better ensure children have life-long positive outcomes.

*“I think that we are going to look back in history and be ashamed we were part of a time where we think it’s okay to have 60 children (3 to 5 year olds) or 20 (babies) in one room, with a few adults – the only thing they can manage is something that resembles crowd management – there is no quality teaching going on and we call this early childhood ‘education’. We know too much about child development and the importance of attachment to allow this to continue to happen.” – teacher*

*“Research tells us that children respond and develop better in smaller group sizes in which strong attachments are possible with caregivers/teachers” - teacher*

376. Submitters cited research and evidence to support their submissions that ratios, service size, group size, space and other facility requirements were out of step with what we know about child development. These submitters were clear that they thought regulation was required to lift these standards.



## A few submitters said that the regulatory framework and its implementation did not work for their model of service provision

377. A few submitters said that the regulatory framework took a ‘one size fits all’ approach that did not account for the significant variation in the sector. These submitters said that as well as the regulatory framework not accounting for the variation, the approach of the Ministry of Education and the Education Review Office also did not account for the variation.
378. These submitters said that the impact of this was that it was very difficult to comply with some requirements, that some requirements were too complex or unnecessary for their service type or that the enforcement of the requirements was done so without understanding how they operate.
379. This submission was made by home-based and hospital-based service providers, Pacific services and parent-led services.
380. One hospital-based service provider made the point that their ratios are usually 1:1 and that education and care was provided in a ward or activity areas. They said this meant that some of the regulations needed to be modified to accommodate these specificities.
381. Home-based service providers said that there needed to be more recognition that home-based services were delivered in a family home and educators were the sole people in charge. They submitted that some of the requirements, particularly documentation requirements, did not take this into account and a new balance needed to be achieved. Most said that they felt like they were treated as “mini-ECE centres” whereas the reality was quite different.
382. A commonly proposed solution was for the different service types to have different regulatory frameworks, or a different approach from the regulator. The Early Childhood Council however, said that the current framework applied different standards to different types of service provision with no clear distinction. They submitted that:

*“...there should be horizontal equity between the regulatory models for the various services and classes. Ideally there is one set of requirements and service types can be established to devise new ways to meet the requirements.”*

### **Kōhanga Reo and Puna Reo**

383. Ngā Puna Reo o Aotearoa submitted that there was a need to recognise the specific requirements of their service type in the regulatory framework:

*“There is a critical need to recognise Puna Reo as an immersion Māori early learning service with its own specific requirements for tamariki and whānau revitalising te reo Māori. The current regulations and funding rules do not sufficiently account for the unique role these services play, and adjustments must be made to better support them.”*

384. Engagement with Te Kōhanga Reo National Trust Board, and their engagement with whānau, highlighted that while some progress had been made in response to the 2013 Wai 2336 Matua Rautia claim, they considered there was work to be done to recognise the specific needs and place of the Kōhanga Reo movement.

## A few submitters said that there were some conflicting and/or duplicative regulatory requirements

385. While a few submitters said that there were conflicting or duplicative regulatory requirements across different regulatory frameworks, it was more common for submitters to say that the issue was either having to deal with multiple agencies which took a lot of time and/or that different agencies interpreted the requirements differently.

67%

of service providers said there were duplication or inconsistencies in requirements, and...

386. The Review asked people who work in ECE and service providers specifically about duplicative or inconsistent requirements. Just short of 70 percent of service providers said that they thought there were duplications or inconsistencies in requirements. In the comments, however, they mostly talked about inconsistent application between and within agencies rather than the requirements being duplicative.

39%

of people who work in ECE said there were duplication or inconsistencies in requirements

387. People who work in ECE were less definitive about inconsistency or duplication in requirements, with nearly 40 per cent saying yes, 40 per cent saying they did not know and the remaining 2 per cent saying no. Again, the comments were predominantly about duplication in agency roles and inconsistent interpretations (predominantly between the Ministry of Education and ERO).

388. People who work in home-based ECE were more likely to feel that there was duplication of regulatory requirements.

389. The Early Childhood Council said that “...numerous conflicts arise between Ministry of Education, Ministry of Health and local Government and Ministry for Business, Immigration and Employment (MBIE) rules and official opinions.”

390. The notable specific conflicting requirements that were raised by submitters were a few conflicts between ECE licencing requirements and the Building Act 2004 (most notably door handle height) and a few references to the safety checking

requirements for ECE workers being contradictory with other agencies' requirements. The nature of that contradiction was not explored in detail.

## Most service providers and people who work in early childhood education said that the regulatory framework had been poorly implemented

391. Most submitters thought that the regulatory requirements had been poorly implemented. Diagram twelve below shows the proportions of submitters that selected 'poorly' or 'very poorly' when asked how well government had implemented its requirements for ECE services.

### Perceptions of the implementation of the regulations

People who work in ECE, service providers, and other interested people were asked to rate their perception of the implementation of the regulations

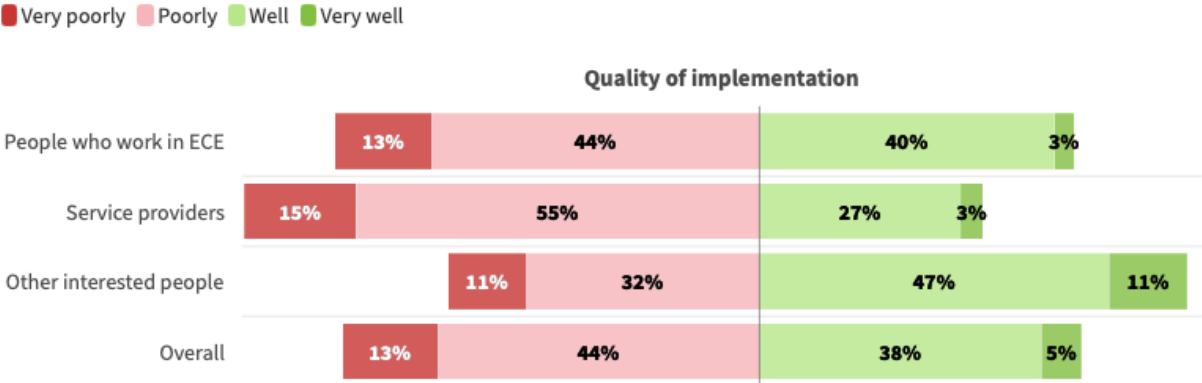


Diagram twelve: how well submitters through the regulatory framework for ECE has been implemented

392. People who worked in Kindergartens rated the implementation of requirements the highest, whereas people who worked in home-based ECE rated implementation the lowest.
393. People who rated implementation poorly were more likely they were to think that regulations needed to be changed.
394. Some submitters said that the regulatory framework itself was fit-for-purpose and that it was the implementation that caused them issues. However, they usually had some issues with the regulations themselves, notably that they thought some of the minimum standards were too low.

*“We unequivocally support the purpose of the ECE regulations...we believe the current ECE regulations are broadly fit-for-purpose. We believe it is the interpretation and application of the ECE and wider regulations that is problematic and can be ‘burdensome’ for service providers.” – Kindergartens Aotearoa*

*“All of these regulations hold value in supporting children’s success within ECE. The issue is with the interpretation, apart from the ratios...” – teacher*

*“We are broadly supportive of current regulatory settings, we believe that the way in which regulations are interpreted and applied can create a burden for kaiako and create te perception of regulatory burden across the sector...” – NZEI Te Riu Roa*

395. Submitters talked about a range of different reasons for why they thought regulatory requirements had been poorly implemented, which are outlined in the sections below.
396. It is worth noting that alongside implementation by agencies with regulatory functions, mainly the Ministry of Education and Education Review Office, submitters of different types also talked about how service providers implemented the requirements. These submitters said that some of the issues experienced by the sector were due to the way requirements were implemented at the service level, as opposed to at the government level.

*“...There is a crucial difference between official regulations and the way that these are interpreted and applied at the centre level.” – NZEI Te Riu Roa*

## Multiple layers of requirements

397. A few submitters, predominantly service providers and NGOs (representative groups) said that whether something was a regulatory requirement or a guideline (and therefore did not have to be implemented or followed) had become confusing. These submitters said that:

- Some government guidelines had been made requirements by inserting them into the licencing criteria which they did not think was appropriate (requirements related to food were the most frequently cited here).
- Some government guidelines were being enforced by the Ministry of Education and/or the Education Review Office as if they were requirements.
- Multiple layers of guidance had been added to interpret the regulatory requirements which made understanding what was required and what was guidance, confusing, or that the policy intent of the regulatory standards had been lost through the Licensing Criteria.

*“There is confusion amongst members of the sector and within regulatory organisations (MOE, ERO) about the status and interpretation of the regulations, licensing criteria, and the purpose of the accompanying guidance...This problem is not so much caused by the regulatory framework as by a failure of system support...” – individual submitter who works in ECE*

*“The Licensing Criteria were to ‘give expression’ to the regulations and various local offices have used these as if they are primary legislation. In addition to this they have web based ‘guidance’ that they enforce as if they are regulatory – this should be removed. So the Regulations are fine – its just they [sic] layers on top” – Executive Leadership Team member of centre-based (university based) service provider*

398. The Office of Early Childhood Education said that the current guidance (which sits below the licencing criteria) needed to be replaced.

*“...The guidance needs to be replaced with carefully worded indicators of meeting criteria so services know exactly what is required of them to meet the criteria and therefore the minimum standards.”*

## Documentation

399. A clear theme throughout submissions, and in chapter five of this report was that most submitters agreed that the documentation requirements in ECE were overly burdensome for staff, service providers and parents, with many submitters saying that there were various documentation requirements that did not benefit children, or the benefit to children was unclear.
400. Removing some of the documentation requirements, changing how the requirements have been implemented, reducing the frequency of recording requirements and digitisation were commonly put forward suggestions for reducing the current volume of documentation.
- “Reconsider the heavy use of checklists and other paperwork that is administratively burdensome on the ECE providers...” – Early Childhood Council*
401. The longer people who work in ECE spent recording information, the less likely they were to feel that the requirements were appropriate.
402. People who work in smaller centres (up to 40 children) spent less time on recording information than people who work in larger centres. Additionally, these people were more likely to feel that the documentation requirements were appropriate than people who work in larger centres.<sup>22</sup>
403. A few submitters said that each individual documentary requirement made sense, or seemed to have good reason, but the cumulative impact created significant burdens in time and financial cost.
404. As outlined above, the story that teachers told in their submissions about “paperwork” were varied – while many said that they saw significant areas of documentation that should not be required and took them a lot of time, many also said that they saw the value in the paperwork for children, parents and themselves and it was their capacity to complete it that was the bigger issue.
405. The more frequently mentioned areas of problematic documentation are listed below (note that some of these will be requirements put in place by service providers as they are not regulatory requirements, and some of this documentation is

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<sup>22</sup> This is likely a function of having fewer children to record information about.

completed by service providers/their leadership teams, while others are completed by people who work on the floor in ECEs):

- Requirements for physical signatures from parents on forms (including attendance records, frequent absence forms, enrolment forms, excursion forms and medicine forms). Submitters said electronic signatures should be permitted for these forms.
- Excursion documentation requirements, including having to do risk assessments frequently for the same type of excursion (this was particularly raised in relation to home-based services but also centre-based)
- Records about children’s education and care, including nappy changes, bottle charts, minor accidents and injuries, food records and learning/curriculum records.
- Hazard checklists.
- Paperwork developed for the purpose of Education Review Office reviews.
- Paperwork for internal review processes.

406. As outlined previously, most parents submitted that the records made about their children were important to them. These were evidence of their child’s learning; sleep time and sleep checks, food served, injuries, illness and incidents, authority to give medicine and a record of its administration. A few NGOs agreed with the importance of this information.

*“Retain all requirements for ECEs to keep records of when children sleep, nappy changing, emergency drills, when food is provided, and children’s injuries. This is important to us as parents to ensure that our children are being cared for.” – Deaf Education ECE Trust*

*“We strongly disagree that the review should be driven by calls from ‘for profit’ ECE providers to minimise their costs and/or cut back on paperwork that they may find tedious. We argue that such paperwork is essential in order to maintain children’s interests.” – OMEP Aotearoa New Zealand (World Organisation for Early Childhood Education)*

407. A few service providers, collectives of service providers and non-government organisations said that the documentation service providers were required to submit to the Ministry of Education were overly burdensome. A few said that they did not think that anything of substance was done with those documents.



408. A few service providers and NGOs also commented on the need to keep physical paperwork, with a few citing not having enough space, storage cost being high and sustainability concerns.

### **High volume of changes and the communication of changes**

409. Some submitters said that the high volume of changes, limited consultation on changes and a lack of communication about changes made implementation of requirements difficult. This was submitted by both service providers and people who work in ECE. People who work in ECE in particular said that they did not have any support or professional development to inform them about the changes.

*“A lot of the time changes happen but we are not given adequate time or professional development to inform us about changes or implementation of them” - teacher*

*“...new initiatives come out but there is no supporting professional learning. Mostly the resources are very good, but accessibility is poor, it’s like they are the best kept secret...” - teacher*

410. Pacific service providers said that their challenges with the regulatory requirements were complicated by the use of complex English terminology.

411. The solutions put forward by submitters mainly relate to the practice of the Ministry of Education and Education Review Office which are the subject of the next section, in addition to clarification about what is a requirement and what is not, and better communication and timing of changes/fewer changes.

412. One large service provider said that changes to the regulatory requirements should not be pursued because of poor implementation of current requirements.

*“AKA would caution against removing regulations or licensing criteria simply due to the way they are being implemented or enforced.” – Auckland Kindergarten Association*

## Most submitters raised issues with the monitoring, compliance and enforcement approach of agencies with regulatory functions

413. Most service providers and people work in ECE submitted about the approach that was taken by agencies with a regulatory function, and particularly those with the largest regulatory functions – namely the regulator, the Ministry of Education, and the quality reviewer, the Education Review Office.
414. Submitters described both positive and negative experiences, with more negative experiences described than positive. It is worth noting that people tend to submit on consultation when they have a poor experience to share. This section explores what parents expect from the government in the monitoring of ECE. Then, discusses what submitters said about their experiences and suggestions for change.

### **Parents' expectations about how early childhood education should be monitored by the government**

415. Of the 60 per cent of parents who responded to a question about their expectations of government to monitor early childhood education services, and most had clear expectations of government involvement. Some said that what they knew of the current system was fine and should continue.
416. Most said that they thought ECEs should be monitored through regular audits and inspections or “spot checks”, and a few said that the views of parents and families should be sought as part of those processes. A few submitters tempered their answers by saying that this was in the context of government focusing on the right areas or being aware that the current system appears to cause stress to people who work in ECE.

*“Ideally there would be a mix of regular and sporadic checks conducted by the Ministry. I don't suggest a heavy-handed approach...We just don't [currently] know what is and isn't a good service – it's all taken on trust until there's a complaint lodged or a bad ERO [Education Review Office] review.” – parent*

417. A few parent submitters said that the government should provide support for ECEs to improve, with one parent providing a detailed outline for how that monitoring

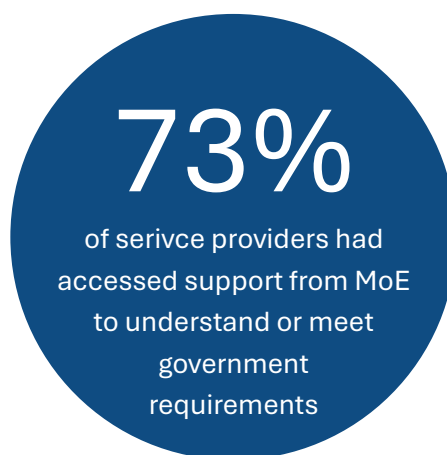
should work. Part of their suggestion was that the current model should be shifted away from compliance and towards support is provided below.

*“Supportive and Developmental approach: Shift the focus from punitive measures to a supportive and developmental approach. The goal should be to help ECE services improve and succeed rather than solely enforcing compliance. This includes providing guidance and resources to help services meet high standards.” – parent*

418. A few (less than one per cent) of parent submitters thought that the government should not monitor ECEs or should monitor less than it did now.

### **The approach of the Ministry of Education**

419. Based on their ratings, service providers and people who work in ECE were generally positive about their interactions with Ministry of Education. As described in diagram thirteen below, submitters were asked to rate their interactions with the Ministry of Education across a variety of factors (from strongly disagree [1] to strongly disagree [4]). The average score submitters gave across these factors was 2.66 out of 4.<sup>23</sup>



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<sup>23</sup> 476 service providers and people who work in ECE answered this question.

## Ratings of interactions with the Ministry of Education

Service providers and people who work in ECE were asked (if relevant) to rate their interaction with the Ministry of Education across multiple factors

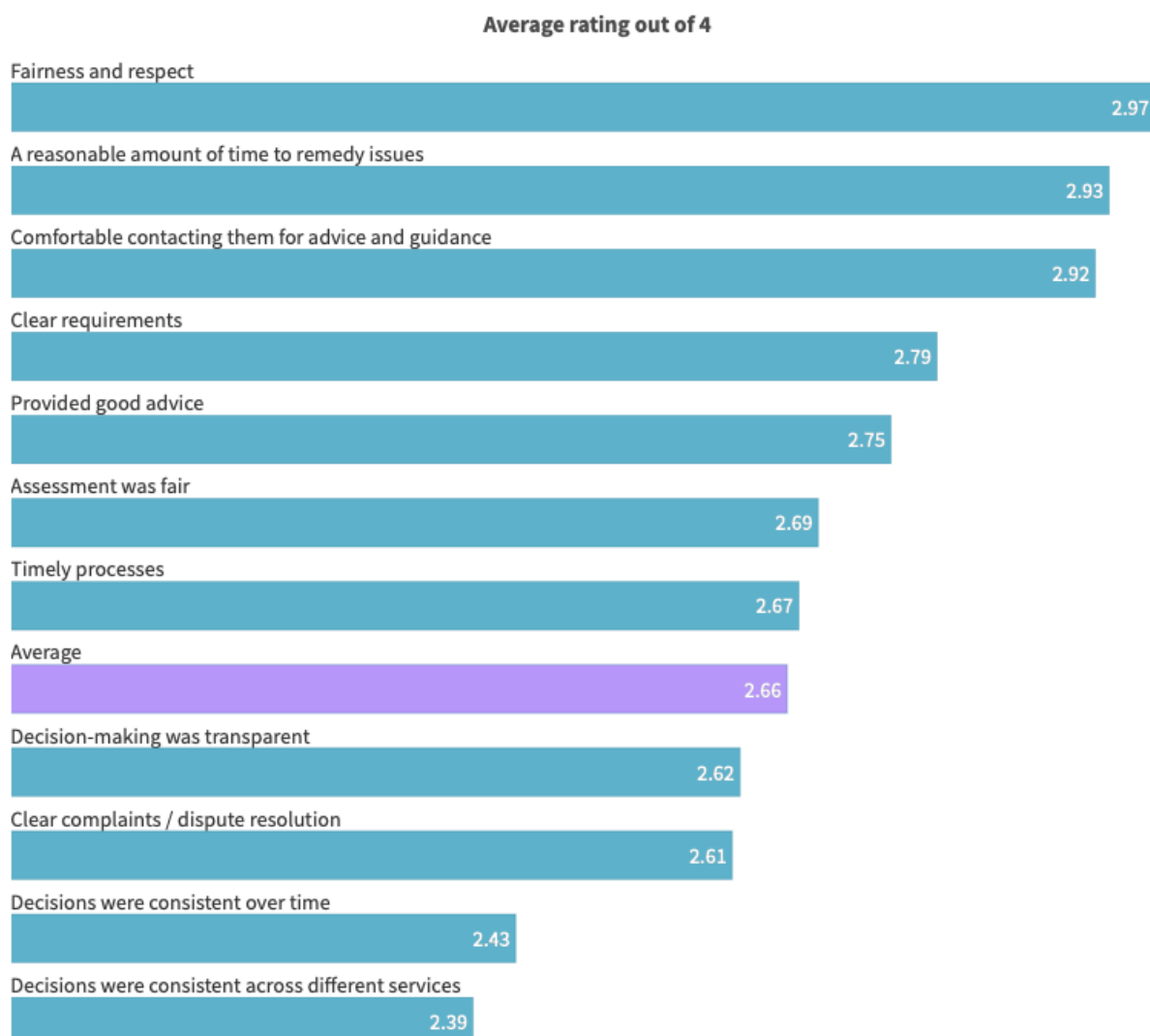


Diagram thirteen: how submitters rated their interactions with the Ministry of Education

420. Service providers who had experienced compliance action (just over 20 per cent of service provider submitters) reported mixed experiences. Of the service providers that responded to the questionnaire, just over 60 per cent of them said that they had engaged with the Ministry of Education on compliance related matters. For just over 20 per cent that engagement resulted in the Ministry of Education taking action.<sup>24</sup>

<sup>24</sup> 18% had been placed on a provisional licence, 3% had their licence suspended, and 1% had their licence cancelled.

421. Of those who had experienced compliance related action, most said that they understood the reasons action was taken (even if they did not agree with it) and a few said that they did not understand those reasons.
422. Over half of service providers that answered the question said that they were satisfied or very satisfied with the support provided by the Ministry of Education to return to a full licence, while the remaining just less than half said that they were dissatisfied or very dissatisfied.
423. A few submitters said that there was a lack of a natural justice process when the Ministry of Education took compliance action. This included a submission from a collective of service providers and representative bodies who said, *“There is a lack of natural justice in MoE [Ministry of Education] decision making...Providers find it difficult to escalate and resolve issues...”*
424. People who work in ECE also described mixed experiences with the Ministry of Education’s approach, with some describing good experiences, others varied experiences, and others bad experiences. A few referred to the pressures they thought the Ministry of Education was under with not enough resources to provide the support ECEs needed.
425. Submitters’ main issues with the approach taken by the Ministry of Education are considered in turn below.

### *Disproportionate response to level of risk*

426. A few submitters said that the Ministry of Education’s response to some breaches of the Licensing Criteria were disproportionate.
427. The Early Childhood Council said that the response of licence action for breach of some of the Licensing Criteria was not appropriate, while a few service providers queried whether licencing action was proportionate when different non-compliances posed different types of risk.

*“While necessary, it should not be sufficient for Ministry staff to assert that because the criteria have not been met, the regulatory standard has not been achieved. They should have to show the implications of any tangible negative impacts on the safety of children or quantify the reduction in education quality...[The] process assumes that all non-*

*compliances are equal and have the same consequences sufficient to put the centre in jeopardy of closure.” – centre-based service provider*

*“The compliance model for early childhood education, with its high-stakes consequences for regulatory checks or breaches, has created a climate in which many centres are disinclined to seek advice from the Ministry of Education. We ask that you consider how both agencies [Education Review Office] might shift their focus towards a culture of support and guidance...” – centre-based service provider*

### *Inconsistency*

428. In terms of inconsistency, service providers and people who work in ECE said that the interpretation of requirements by the Ministry of Education depended on who you were talking to, or what location you were in.

429. A few service providers described having licences in different areas of the country where the same requirements were interpreted differently. A few service providers described the same Ministry of Education personnel interpreting requirements differently at different times.

*“MOE requirements are constantly changing. High turn-over of staff each with their own interpretation of the licensing criteria. It’s like we have to teach them,” – whānau from Kōhanga Reo, in Te Kōhanga Reo National Trust engagement documents*

*“For providers that operate in multiple regions of New Zealand, there can be inconsistency in assessment decisions from different Ministry offices. While we understand the assessment of practice is location specific...the assessment of documentation should be standardised. If a policy meets the standard in Auckland, it should also meet the standard in Wellington.” – Te Rito Maioha, Early Childhood New Zealand*

### *Finding fault, not providing support and focus on small issues*

430. Some submitters, across service providers, people who work in ECE and their representative bodies said that the Ministry of Education’s general approach was not to provide support to ECEs.

*“...the regulations are not the problem, it is how they are administered by the regulator (the Ministry of Education) which is the problem. Under a collaborative approach, the Ministry*

*should support providers to comply through provision of information, training and advice...”*  
– Early Childhood Council

431. While the Ministry of Education not taking a supportive approach came through the submissions, more than 70 per cent of service providers who took the questionnaire said that they had sought support from the Ministry in the last five years to understand or meet the government’s requirements. Kindergartens and community (not-for-profit) providers were more likely to have accessed support from the Ministry of Education than other types of providers.
432. Nearly half of these submitters (47 per cent) said that they were either ‘very satisfied’ or ‘satisfied’ with the support provided. 32 per cent said they were either ‘very dissatisfied’ or ‘dissatisfied’.
433. Those that were ‘very satisfied’ or ‘satisfied’ with the support provided said that they had a strong relationship with their local advisers that they had built up. They described support with meeting regulatory requirements including relating to the curriculum and health and safety, and in moving to a full licence. A few also referred to good support when dealing with challenging families and trying to access support for disabled or neurodiverse children.
434. Those that were ‘very dissatisfied’ or ‘dissatisfied’ described slow response times, not getting clear answers to questions and receiving confusing advice. Home-based service providers were more unhappy than other types of service providers with the type of support they received from Ministry of Education.
435. A few submitters said that they, and their teams, did not contact the Ministry of Education for support or advice because of concern about the consequences or the approach they have been met with.

*“...A lot of people still ‘fear’ the MOE. In the past, people didn’t want to ask as often it resulted in them criticising and scrutinising you rather than providing support...This has changed a bit of late...”* – Executive Leadership Team member of a home-based service provider

436. Some submitters said that the Ministry of Education focused on the wrong things, with a focus on small issues instead of areas that mattered for children’s safety, development and wellbeing.

*“They were incredibly picky about minor details...” – owner of an ECE centre (private)*

*“...Its just they were requesting to see things or for us to do things that were just so minuscular that seem so irrelevant...Their knowledge and time is so important, it could be used better at looking and supporting us in focusing on what and how the tamariki are learning, their assessments plan, their learning outcomes being met or not...I hope I am not being too harsh :-)” – centre manager*

437. Submitters said that these approaches meant service providers were not receiving support when it was available and that services may not be reporting events which could increase future risks of harm.
438. Submitters said that the Ministry of Education should provide additional training to its staff and implement a different practice approach – one that sought to collaborate more with service providers and put high-trust approaches in place, particularly for service providers that were very experienced and were consistently delivering high quality services.
439. A few submitters said that they thought the role of regulating ECE should be split from the policy and funding roles, and an independent (from government) regulator put in place.

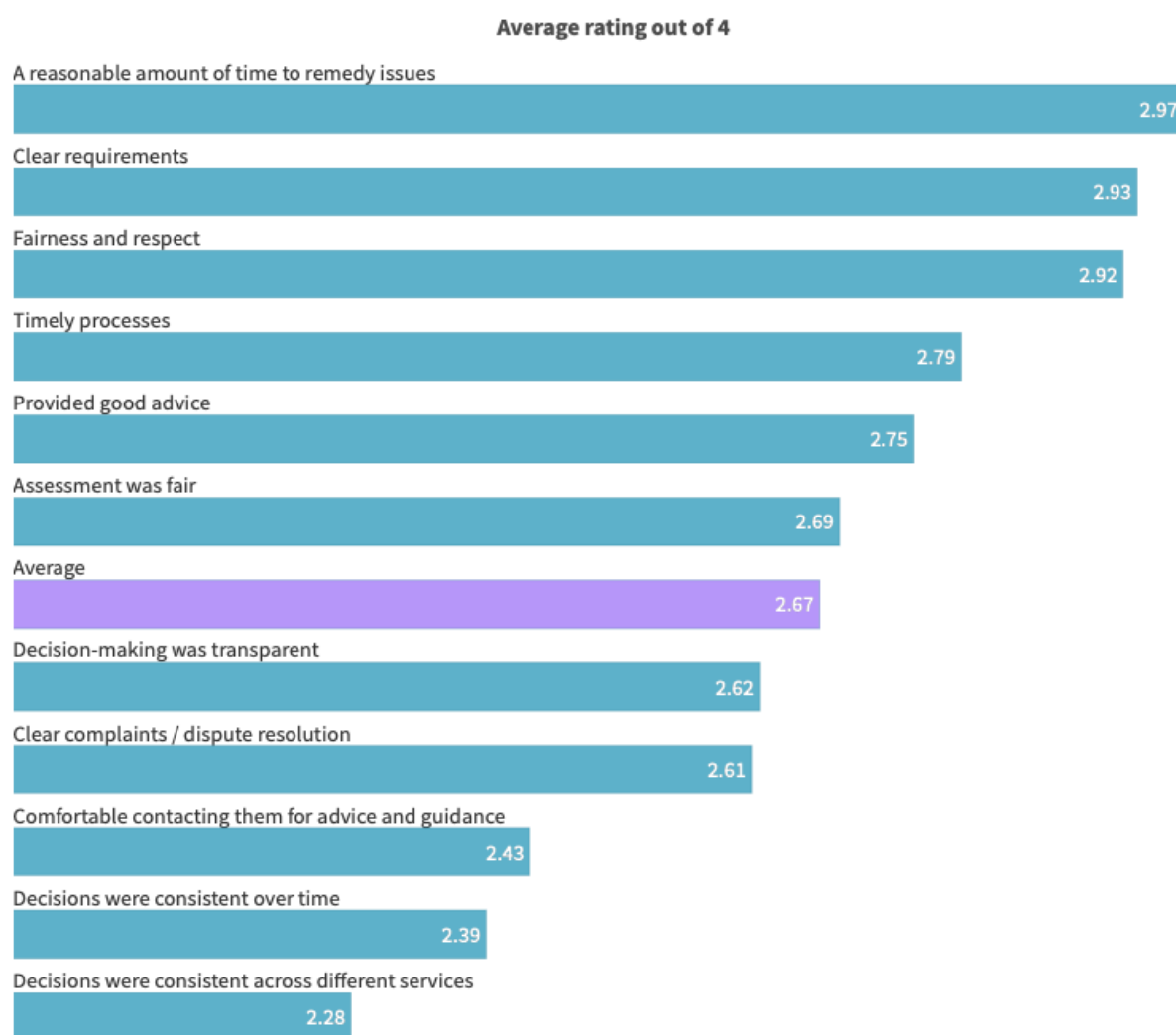


## The Education Review Office

440. Based on their ratings of their interactions with the Education Review Office, service providers and people who work in ECE were generally positive about their interactions. As described in diagram fifteen below, submitters were asked to rate their interactions with the Education Review Office across a variety of factors (from strongly disagree [1] to strongly agree [4]). The average score submitters gave across

### Ratings of interactions with the Education Review Office

Service providers and people who work in ECE were asked (if relevant) to rate their interaction with the Education Review Office across multiple factors



these factors was 2.67 out of 4.<sup>25</sup>

*Diagram fifteen: how submitters rated their interactions with the Education Review Office*

<sup>25</sup> 428 service providers and people who work in ECE answered this question.

441. While submitters' experiences with the Education Review Office (ERO) were generally positive, there was consensus across service providers, people who work in ECE, representative groups and other NGOs that ERO's approach to reviewing ECEs compliance with regulatory requirements was causing high levels of stress and unclear benefits to children for some ECEs.

442. The most common reason for this view in the submissions was that ERO's approach had become too compliance focused. A few service providers described friendly and respectful interactions with ERO and commented on the high level of expertise among ERO review staff.

443. A few service providers said that reviewers spent most of their time checking paperwork, and not observing children and teaching practice.

*"...I always feel that the actual review has so much time in the office looking at paper work and having conversations, where I would like more of their time actually observing what is happening in the playground..." – owner of ECE centre (private)*

*"My main problem with ERO is they are not focused on the right outcome. They are focused on paperwork and policy compliance rather than practically teaching children!" – board member of centre-based service provider (community-based, not-for-profit)*

444. A few people who work in ECEs described similar experiences to service providers, particularly that ERO were inconsistent in their views, focused on what they saw as small matters and held fixed views after changes had been made.

*"They picked and picked until they found trivial things in policies to give us a poor review." – teacher working for a home-based service*

445. A few home-based service providers and educators had some specific comments about how ERO approached its home-based reviews. This feedback included that home-based educators were given very little notice before visits to their homes (10 to 20 minutes) which was culturally insensitive and did not allow time to prepare children for a different routine and different person in the home.

*"I think they can be very overbearing and cause a lot of stress on both children VTs [Visiting Teachers] and educators. They are very authoritarian which can be intimidating. They are strangers coming into a child's safe space, and an educators home which is not very nice feeling judged." – home-based educator*

446. Additionally, a few home-based service providers said that ERO reviewers did not have seem to have good knowledge of the home-based requirements or the different nature of the service compared to centre-based services.

*“Lack of understanding of homebased services and have an expectation that educators hold the same knowledge of qualified teachers...” – owner of a home-based service provider*

447. Cultural responsiveness was also raised by Pacific organisations, who said that training needed to be given to ERO reviewers and efforts made to recruit reviewers from within the communities that ECEs service.

*“Provide training in cultural responsiveness for all ERO reviewers. This training is an investment that will reduce the costs associated with misunderstandings and adversarial interactions...” – Pacific Enterprise People Ltd*

448. A few submitters said that ERO should refocus its role on educational quality instead of regulatory compliance. This suggestion came from organisations that represent service providers, as well as a few service providers.

### **Inconsistency, duplication and confusion between the Ministry of Education and Education Review Office, and other agencies**

449. The Review asked people who work in ECE and service providers whether they encountered agency duplication or inconsistency in their roles. 30 per cent of people who work in ECE said that there was duplication, while another 30 per cent said that there was not. Service providers were more definitive, with almost 60 per cent saying agencies duplicated effort or were inconsistent.

450. People who work in home-based ECE were more likely than people who worked in other types of ECE to say that agencies with regulatory functions were duplicative or inconsistent.

451. People with more responsibility and more knowledge of regulatory requirements (person responsible, centre managers, and administrative staff) were more likely to feel that agencies were duplicative or inconsistent.

452. Many submitters said that there was inconsistency and duplication between the Ministry of Education and ERO, and that there was some role confusion with service providers and people who work in ECE saying that ERO “behaves” like the regulator.

453. Submitters described different interpretations of the regulatory requirements between the Ministry of Education and ERO.

*“The largest area of inconsistency is that between the MoE and ERO. While we accept that practice and compliance can change over time, our members are telling us that ERO will find issues, which once the Ministry have checked they find compliant (and vice versa).” – Te Rito Maioha, Early Childhood New Zealand*

*“...[we recommend] clear MoE and ERO interpretation of licensing criteria that is consistent across all regions so that all service providers are treated in an equitable way and have the same understanding of what is required, with the required standard being the same across the country.” – group of home-based service providers.*

454. Many submitters, across service providers, people who work in ECE and their representative groups, said that the Ministry of Education and ERO roles overlapped, there was a lack of clarity about roles, which caused additional burden on ECEs. A few submitters said that the reviews or checks completed by the two organisations checked the same things and questioned the purpose.

455. A few submitters talked about the other agencies with regulatory functions in ECE – including Fire and Emergency New Zealand, WorkSafe, the Teaching Council, Health New Zealand, Food Safety New Zealand and local authorities – saying that there was no collaboration or coordination across them.

456. A few submitters said that the Ministry of Education should have a coordination function in this regard, while ECE Reform submitted that a new Ministry for the Early Years should be established. They submitted that the new Ministry would consolidate the policy and regulatory roles across the government into one place to reduce inconsistency, duplication and confusion.

457. Kindergartens Aotearoa recommended that a coordinating service was established to support service providers’ difficulties with navigating multiple agencies with different views.

*“We recommend the Ministry for Regulation establish a service to negotiate with local and central government institutions including district and territorial authorities to reach a final decision where different requirements are set by agencies on the same matter.”*

## **The approach of the Teaching Council**

458. Most submitters who interacted with the Teaching Council did so to gain or renew their teaching registration. Some of these submitters felt that the Teaching Council was difficult to contact and slow to respond, and the advice they received was inconsistent. A few submitters had positive experiences and felt that the advice they were given was useful.
459. A few submitters suggested that the Teaching Council should also have jurisdiction over non-teaching qualified ECE teachers.

*“Some of these teachers do not understand their responsibility to the communities of learning that they lead, which seems professionally neglectful.” – teacher*

## **The approach of other regulatory agencies**

460. Those submitters who interacted with other regulatory agencies (e.g., Health New Zealand, Fire and Emergency New Zealand, WorkSafe, local authorities) generally had positive experiences, and found the advice of these agencies to be helpful. The most common theme from service providers was a few difficulties and high costs in obtaining resource consents for expansions or building changes.

# **SECTION FOUR: PRIORITIES FOR THE REVIEW**

# Chapter eight: priorities - what should be driving the Review?

## Key messages

Submissions to the Review told us that...

- Many submitters said that **children's best interests** needed to be at the centre, and the primary consideration of, the Review.
- A few submitters said the Review should be applying a **child right's framework** to its work and completing a **Child Impact Assessment** for all proposed regulatory changes.
- Many submitters said they were **concerned about deregulation** of early childhood education and said that there were **potential unintended consequences** of deregulation that could put children's safety, wellbeing, and development at risk.
- Some organisations said that it was imperative for the ECE sector to have a **strong understanding of its obligations to Te Tiriti o Waitangi**.
- Many submitters said that early childhood education should be a 'public good' and fully funded and provided by government, and / or that **profit** should not be **able to be made** from children's education.

## Keeping children’s best interests at the heart of ECE

461. Many submitters said that any decisions government makes about ECE must have the best interests of children as the primary consideration. A few called for legislative change so all children could have the right to attend and participate in ECE.

### Definition reminder:

‘most’ means 50% or more ( $50\% \leq x$ )

‘many’ means between 30% and 50% ( $30\% \leq x < 50\%$ )

‘some’ means between 12% and 30% ( $12\% \leq x < 30\%$ )

‘a few’ means less than 12% ( $x < 12\%$ )

*"Children should be at the heart of this review. Their best interests, safety and wellbeing should be the paramount consideration. NZ is a signatory to the UN Convention on the Rights of the Child (UNCRC) and under the UNCRC government is required to consider children’s best interests as the primary consideration in all actions (administrative and legislative) that affect them. It is not at all clear that this principle is underpinning this review." – retired ECE teacher*

*"We ask that this review ensures that the best interests of children are the primary consideration. Please don’t propose any changes that will have negative impacts on or unintended consequences for our children." – ECE Parents Council*

462. A few submitters said that the Review should apply a child rights framework and that a Child Impact Assessment<sup>26</sup> should be undertaken to ensure proposed regulatory changes uphold children’s rights and prevent or mitigate negative consequences for children, while making it clear how decisions are made.

463. Others referenced the high social return on investment that quality ECE had the potential to deliver (which is also referenced in the section below) and that should be considered as part of the Review’s work.

*"Research has shown that the investment made in early childhood education more than pays off for itself as these children grow into capable, confident and empathetic adults that contribute back to society. So, the Ministry [for Regulation] should consider the invaluable pay-off from the long-term benefits of high quality ECE in their regulations review." – a Montessori service provider, for and on behalf of the Parent Council and Staff Members*

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<sup>26</sup> [Child Impact Assessment Tool - Ministry of Social Development \(msd.govt.nz\)](https://www.msd.govt.nz)



## The impact of ‘deregulation’ on children

464. Many people who work in ECE, NGOs, parents and a few service providers said that they were concerned about deregulation. These submitters were concerned that the balance between discretion and prescription in the regulatory framework could tip too far towards deregulation and the result would be unintended consequences that put children’s safety, wellbeing and development at risk.

*“A deregulated operating environment only fuels competition within ECE markets. As international examples show, heightened competition in a mixed-market model can lead to perverse outcomes, including reduced access for children, higher costs to parents, and diminished workforce wellbeing...Therefore, the competitive nature of the current mixed market system necessitates higher levels of government regulation to ensure quality education and care. Such regulatory oversight is essential to achieve the potential 4x to 9x cost-to-benefit ratio return on government investment.” – Early Years Research Lab – Massey University*

*“DPA believes that deregulation will compromise the commitments Government has made to disabled children and their whānau under the UNCRPD, New Zealand Disability Strategy and Te Tiriti o Waitangi to enable their full participation in early childhood education.” – s Disabled People’s Assembly*

*“They [the regulations] are there for a purpose... it is necessary and there needs to be that tiny bit of paper required to check that, to ensure everyone knows. It is not wasted money or time. If anything we need more, not less...” – teacher*

*“Deregulation is dangerous and will lead to poorer outcomes for children... Deregulation will only encourage poor quality ECEs with staff who aren’t being paid enough to care.” – parent*

465. The cautions against deregulation were not universal. Many submitters proposed removing or changing existing regulatory requirements (mostly licencing criteria), which is covered extensively elsewhere in this report. Many of the recommendations in this vein were about removing documentation requirements, changing how requirements were measured or implemented or inserting more flexibility into specific requirements.

466. A few organisations submitted detailed assessments of the licencing criteria which have been considered by the Review. These included many suggestions to remove regulatory requirements.

## Te Tiriti o Waitangi and early childhood education regulation

467. Some organisations that submitted said that it was imperative that the ECE sector had a strong understanding of its obligations to Te Tiriti o Waitangi and that ECE providers – both as private businesses in New Zealand, and as agencies that receive subsidies from the Government - should be empowered to uphold specific commitments to the rights of mokopuna Māori as tangata whenua.

468. Submitters said these included honouring the tino rangatiratanga of their whānau, hapū and iwi, recognising and respecting Māori participation, leadership and te ao Māori approaches to ECE and promoting te reo Māori and tikanga Māori as taonga of New Zealand.

*“We recommend the regulation of ECCE recognises Te Tiriti o Waitangi and upholds the tino rangatiratanga of Māori to govern and operate ECCE services for mokopuna Māori.” - submission from Mana Mokopuna – the Children and Young People’s Commission*

469. Many of these submitters noted that kōhanga reo must be supported by the government to thrive, because it is integral to the survival of te reo Māori, which is a fundamental right of Māori as tangata whenua. They called for regulation to ensure the government can support Kōhanga Reo to thrive under iwi, hapū and whānau governance, fully grounded in mātauranga Māori and Māori ECE approaches.

470. These submissions also called on the government to ensure tangata whenua are consulted when a policy change is planned that affects their rights to provide ECE according to tikanga Māori.

471. Ngā Puna Reo o Aotearoa questioned how the Review was going to consider ways of strengthening recognition of te reo Māori in the framework.

*“...NPRA would like to know how the regulatory review might examine where te reo Māori fits in its review process? In particular, the lack of support for te reo Māori across the ECE sector. This is despite te reo Māori being an official language of New Zealand, as legislated*

*under the Māori Language Act 2016 with the clear government responsibilities to ensure the revitalisation of te reo Māori..." – Ngā Puna Reo o Aotearoa*

472. A few submitters, including Te Kōhanga Reo National Trust, referred to the recommendations from the Wai 2336 Matua Rautia report regarding relationships, budgets, frameworks, and processes to facilitate “progress to achieve effective transmission of te reo Māori through Kōhanga Reo proceed[ing] with the dedication and urgency required given the vulnerable state of te reo Māori” (WAI 2336).

*"Whakamana i te Tiriti - WAI 2336 Claim. Where are we at with the claim!" - whānau at Ikaroa kōhanga reo, quoted from engagements by Te Kōhanga Reo National Trust*

## Many submitters said that early childhood education should be a ‘public good’ and should not be market-based

473. Citing the demonstrated importance of ECE, some parents, many people who work in ECE, a few service providers, and many of the NGOs that submitted said that they do not believe people should be able to profit from the provision of ECE.

*"...If you want to have a business buy a McDonald's..." – hospital based ECE play specialist*

*"ECE is an essential public service that is undervalued by this government. We need a nationalised public model of ECE provision that puts an end to profiteering off of taxpayers." – teacher*

474. A few submitters (parents, people who work in ECE and NGOs) said that ECE provision should be fully funded and provided by government (nationalised) or that there should be a free public option available.

475. Submitters said that the market approach that has been taken does not favour quality and that while service providers assert that children are at the heart of what they do, the way they operate suggests it is actually profit.

476. Many of these submitters pointed specifically to areas they thought the ECE market was failing.

*" Competition between ECE services has resulted in inequities in provision across geographic areas (services tending to cluster in more affluent areas) and in reduction in the types of services, so reducing parent choice." – retired ECE teacher*

*“...The current market approach to provision has led to a radically unequal patchwork with oversupply and undersupply and differentials in quality, that largely favour higher socioeconomic groups.” – a former ECE professor*

477. Submissions by parents, service providers and NGOs said that disabled, neurodivergent and medically fragile children are already effectively excluded from some ECEs. Organisations representing disabled children said that a more market-based approach would make these issues worse.

*“Private early childhood centres in a more market-driven system could also start cherry-picking student intakes in that disabled pre-schoolers will only be accepted if they have lower-level impairments, thereby excluding learnings with more significant impairments...A more market-drive system may also lead to the whānau/families of disabled pre-schoolers being charged more to have their child/tamariki in a good quality centre, placing extra stress and responsibility on whānau/families. This will result in the whānau/families of disabled pre-schoolers having fewer choices not more...” – the Disabled Persons Assembly*

# APPENDIX 1: LIST OF ORGANISATIONAL NON-REGULATED PARTIES WHO SUBMITTED

1. Children's Rights Alliance Aotearoa New Zealand
2. Deaf Education ECE Trust - Ko Taku Reo Deaf
3. Disabled Persons Assembly
4. Early Childhood Council
5. Early Years Research Lab - Massey University
6. ECE Reform
7. ECE Taylored
8. Education & Business Innovation - 4E's Consulting
9. Heart Foundation
10. Institute for Early Childhood Studies at Victoria university of Wellington
11. Kindergartens Aotearoa
12. Languages Alliance Aotearoa NZ
13. Mana Mokopuna – Children and Young People's Commission
14. Māngere Labour Electorate Committee
15. Miro Education Consultants
16. New Zealand Home Base Early Childcare Association
17. Ngā Puna Reo o Aotearoa
18. NZEI Te Riu Roa
19. Office of Early Childhood Education, Te Tari Mātauranga Kōhungahunga
20. OMEP (World Organisation for Early Childhood Education) Aotearoa New Zealand
21. OMEP Waikato Rōpu
22. OMEP Waitaha
23. Pacific Enterprise People Ltd
24. Pasifika Early Learning Foundation

25. Rangitāiki Community Board
26. Rural Women NZ
27. Safeguarding Children
28. Save the Children NZ
29. Steiner Education Aotearoa New Zealand
30. Te Kōhanga Reo National Trust Board. The Review engaged directly with Te Kōhanga Reo National Trust Board and the Board engaged across Kōhanga Reo whānau and contributed their views to the Review.
31. Te Kōpu NZ Limited
32. Te Rito Maioha Early Childhood New Zealand
33. Te Whānau Tupu Ngātahi o Aotearoa - Playcentre Aotearoa
34. The ECE Parents' Council
35. The New Zealand Home Based Childcare Association
36. The Talking Matters Charitable Trust
37. Wilf Malcolm Institute of Educational Research
38. Women's Health Action



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