



29 January 2025

Via email: Christopher.Luxon@parliament.govt.nz; cabinetoffice@dpmc.govt.nz;

Cc: Nicola.Grigg@parliament.govt.nz

Dear Prime Minister and Cabinet members,
cc. Minister for Women

Re: Early Childhood Education Regulatory Review Recommendations

We understand that Cabinet will soon be meeting to consider the outcomes of the Regulatory Review into Early Childhood Education (ECE) and to make decisions about the implementation of recommendations arising from the review.

The Review's [Report](#) contains 15 recommendations. Recommendations 1, 9, 10 and 11 are of grave concern to parents, early childhood teachers, and the wider child welfare and education sector. We urge you to withdraw support from progressing these recommendations unless urgent changes are made.

Specifically, we request that you:

- Do not support the proposed amendment to the Education and Training Act 2020 outlined in recommendation 1. Paragraph 3 of the Review report states:
"ECE services are considered a 'merit good' which means they offer benefits to society beyond the benefits to individual users."
The proposed amendment would undermine this finding and effectively seeks to diminish the benefits of ECE to our wider society, the teaching profession and the ECE sector's relationship to the compulsory and tertiary education sectors.
- Do not follow through with recommendations 9, 10, 11 as these are detrimental to the safety of children and lower the quality of early childhood education and conflict with widely understood structural indicators of quality. Further, removing 74% of licensing criteria is not in the interests of children's learning or safety. Removing or lessening qualified teacher requirements will seriously undermine the quality of learning and impact on future learning outcomes for generations of tamariki to come. The impacts of poor quality ECE can include toxic stress, attachment disorders, behavioural and developmental issues, poorer learning outcomes, poorer longitudinal social and economic outcomes.
- Request further information about the consequences for parents and children of implementing lower quality and less safe early childhood education in New Zealand, including requesting information about the deaths and injuries in care – which led to the creation of a number of specific regulations that are now proposed to be removed.
- Request information about how the changes run counter to government initiatives in other portfolios including undermining its overall education objectives of 80% of students reaching at or above curriculum level by year 8 by 2030.

For example:

- Removing the Health (Immunisation) Regulations 1995 requirement runs counter to government initiatives to increase immunisation rates and the setting of a clear agenda to achieve this



- Removing parent reporting and interaction requirements limits transparency and the ability for parents to make informed decisions about the early childhood service their child attends
- Undermining Te Whāriki, our world leading curriculum, undermines the setting of appropriate standards and curriculum alignment and undermines high quality, education which sets up children for the remainder of their education journey through schooling.
- Address ratios, group size and additional learning support. Despite being key concern raised by all sector stakeholders as the most limiting feature of the current early childhood system, the report states that these issues sit outside of the scope of the review, even though ratios and group size are governed by regulations.
- Require that any changes taken forward from this review result in reduced costs for parents and constrain the ability for additional profiteering from taxpayer- funded early childhood education.
- Require that any changes taken forward go through a thorough consultation with all those affected, including parents and children.

Yours sincerely,



Stephanie Mills
NZEI Te Riu Roa, National Secretary





Recommendations, for reference:

Recommendation 1: Define clear outcomes, objectives and principles for ECE regulation in legislation, aligning with government priorities for early childhood education.	Redefine the desired objectives for early childhood education (ECE) regulation; e.g., the need for parents and whānau to have the choice to participate in the labour market Seek amendments to section 14 of the Education and Training Act 2020, and Use the new purpose statement, and principles, to guide regulatory decision-making
Recommendation 9: Revise licensing criteria to ensure they are proportionate, effective, and support quality without overburdening providers.	Implement our recommendations for each of the 98 specific licensing criteria as per the table on page 14. For each licensing criterion that is retained, amended or moved the regulator(s) will need to decide the level of risk and what the appropriate sanctions would be. The approach to sanctions should take into account the context, such as the behaviour and willingness to comply of regulated parties. This should form part of the regulator's National Enforcement Policy It is likely that regulations and legislation will need to be updated to reflect these changes and provide for the new enforcement tools.
Recommendation 10: Allow greater flexibility in workforce qualifications to support access and quality across all areas and service types.	Develop options to make qualification requirements more flexible, particularly for services in rural and lower socio-economic areas, Māori and Pasifika services, and home-based services, and Amend regulations to provide for new flexibility in the qualification requirements.
Recommendation 11: Ensure the person responsible requirements are practical, appropriate to meet the needs of children and purpose of the requirements, and responsive to service needs, including home-based services.	Develop options to unbundle the 'person responsible' requirements into two different regulated roles (that can be held by one person or different people): Leading and supervising education Service manager, and Amend regulations to provide for adjusted 'person responsible' requirements.

