

10 February 2020

Consultation on the Education and Training Bill

We are pleased to provide comment to the Education and Workforce Committee as part of its consultation on the Education and Training Bill.

About Te Rito Maioha Early Childhood New Zealand

Te Rito Maioha Early Childhood New Zealand is a national organisation that promotes high-quality early childhood education (ECE) through initial teacher education, professional development, leadership programmes, advocacy and membership services.

As a membership organisation we represent early childhood education services and the teachers who provide education and care to thousands of infants, toddlers and young children. Our members are drawn from a diverse range of community-based and privately-owned education and care services, home-based services and kindergartens.

Te Rito Maioha is also one of New Zealand's top providers of initial teacher education for ECE teachers and is recognised as a leader in bicultural teacher education. We deliver a suite of qualifications and teacher education and professional development programmes that are of interest to both domestic and international students.

We are committed to high-quality early childhood care and education for every New Zealand child. That has been our purpose for 55 years since our formation in 1963, originally as the New Zealand Association of Childcare Centres and later as Te Tari Puna Ora o Aotearoa | NZ Childcare Association.

General Comments

We agree with the new structure of the Education and Training Bill (the Bill) in that it follows a learner's journey through the NZ education system. Our submission focuses on select issues.

Our response to select proposed changes within the Bill

We have provided below responses to the areas being changed within the Bill that are relevant to our organisation and the ECE sector, namely:

- i. Home-based service provider definition
- ii. Early childhood education and care licensing
- iii. Prohibition on corporal punishment and seclusion in early childhood services
- iv. Procedures related to police vets
- v. Police vets for home-based services
- vi. Expanded powers for ERO when inspecting ECE services
- vii. Return to teaching pathway
- viii. Definition of 'satisfactory recent experience'
- ix. Functions of workforce development councils

i. Home-based service provider definition – Part 1, Clause 10

We agree with changing the definition of a home-based service provider to one that ‘provides or offers to provide’ education and care. We believe this will help ensure service providers understand their responsibilities and can be held accountable for offering a quality education and care service as well as being responsible for the ongoing training and professional development of their educators.

ii. Early childhood education and care licensing – Part 2, Subpart 1, Clause 17(2)

We support the introduction of a two-step process for licensing a new ECE service. This will ensure that the needs local communities are considered so there is not an over-supply of services. We also agree that the licensing history of a provider’s other services is considered to ensure that a lower quality provider cannot expand. We would like to suggest that this also includes a provider’s ERO history.

We note that the Ministry regional offices will need a way to ensure information about large national providers can be easily shared and that this can include where one ultimate owner has multiple companies or has set up a separate service provider for each centre.

iii. Prohibition on corporal punishment and seclusion in early childhood services – Part 2, Subpart 1, Clause 23

While we agree with adding the prohibition of seclusion to the Bill, we note that Regulation 56 of the Education (Early Childhood Services) Regulations 2008 currently states that a person may not physically ill-treat or abuse a child, or subjected the child to solitary confinement, immobilisation, or deprivation of food, drink, warmth shelter or protection. We hope that when the Regulations are reviewed, that this Regulation (or something similar) is retained.

iv. Procedures related to police vets – Schedule 4, Clause 6(3)

We note that this remains unchanged from the existing section 319F of the Education Act. The Bill states that a police vet must be obtained before the person has unsupervised access to children. This is inconsistent with the requirements of the Children’s Act (2014) i.e. that a Children’s Worker cannot be employed until their safety check (which includes the police vet) is complete. We recommend that this inconsistency is rectified.

v. Police vets for home-based services – Schedule 4, Clause 6(1)

In our April 2018 submission to the Ministry of Education on Issues for Legislation (Education Act amendments) we queried the need to extend vetting requirements for home-based early learning services. As the Ministry has decided this is necessary, we support this change and again suggest that police vetting is extended to both adults who live at the home and those who are regular visitors to the home, if they are present at the home during the hours home-based early learning is provided.

vi. Expanded powers for ERO when inspecting ECE services – Part 5, Subpart 3, Clause 434(2)(b) and Part 6, Subpart 6, Clause 589

We agree that ERO should have the ability to approach parent entities for information related to not just governance and management, but also to overarching health and safety and curriculum information. This will ensure they can gather all they need for a thorough assessment of education and care services, especially where the owning entity is a national body or has multiple service providers.

We also agree that ERO should have right of entry to homes when home-based education and care is taking place (during licensed hours). It is crucial that they can assess the delivery of curriculum in the home as well as being an extra set of eyes to ensure the health and safety of enrolled children. This change will help ensure the quality of provision by home-based providers.

vii. Return to teaching pathway – Schedule 3, Clause 10(6)(b)

We support the addition in the Bill of a return to teaching pathway as this will make it easier for those who have taken a break from teaching to return to the profession. We note that the conditions a teacher must meet will be set out by rules made by the Teaching Council. We would encourage the Teaching Council to consult with the sector in the development of those rules.

viii. Definition of ‘satisfactory recent experience’ – Schedule 3, Clause 10(9)

While we support changing the definition of ‘satisfactory recent teaching experience’ to include a position equivalent to a teaching position in New Zealand (so overseas experience can be used to obtain a practising certificate), the Bill does not include a clear statement of (or reference to) overseas trained teachers being required to undergo training that covers the New Zealand education environment (including te reo and tikanga Maori) and appropriate curriculum.

ix. Functions of workforce development councils – Part 4, Subpart 6, Clause 347(f)

While we are in agreement with the functions of workforce development councils (WDCs), we suggest that the Bill states that WDC endorsements won’t be unreasonably withheld or that WDCs won’t delay programmes being approved and therefore delay delivery.

Make submission to the Education and Workforce Committee by 14 February 2020.

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