

## Briefing Note: ELAP 1.3 update and advisory panel terms of reference

<b>To:</b>	Hon Jan Tinetti, Minister of Education		
<b>Cc:</b>	Jo Luxton, Under-Secretary to the Minister of Education		
<b>Date:</b>	24 February 2023	<b>Priority:</b>	Medium
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<b>Drafter:</b>	Kim Nathan	<b>DDI:</b>	9(2)(a)
<b>Key Contact:</b>	Paul Scholey	<b>DDI:</b>	9(2)(a)

### Purpose

This briefing note updates you on progress on *He taonga te tamaiti – Every child a taonga: Early Learning Action Plan 2019–2029* (ELAP) Action 1.3 and provides draft terms of reference for the advisory panel.

### Summary

1. Work has started on ELAP 1.3 to produce evidence-informed guidance for early childhood services on centre design, environmental factors, and group size.
2. Any proposed regulatory changes will be followed up subsequently as a separate piece of work.
3. We intend to seek expert input for this work, through the establishment of the *Centre design, Environmental factors and Group size and organisation Advisory Panel* (CEGAP). The draft terms of reference are attached as Annex 1.
4. We will provide regular progress updates through ELAP reporting with additional advice as required.

### Proactive Release

- a **agree** that the Ministry of Education release this briefing in full once it has been considered by you, with any information needing to be withheld done so in accordance with the provisions of the Official Information Act 1982.



Paul Scholey  
Senior Policy Manager, ECE Policy



Hon Jan Tinetti  
Minister of Education

Agree / Disagree

24/02/2023

4/03/2023

## Background

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5. ELAP 1.3 addresses centre design, environmental factors, and group size and organisation. The objectives are to:
  - a. develop comprehensive, integrated, and culturally appropriate guidance<sup>1</sup> for early childhood (EC) services that considers the relationships between these areas
  - b. review current quality standards and consider ways of improving these where needed.
6. ELAP 1.3 will produce evidence-informed guidance for EC services on centre design, environmental factors, and group size and organisation. We will work with the early learning sector and a range of technical and cultural experts to develop this guidance. ELAP 1.3 notes teachers, owners, architects, researchers, cultural experts (including those involved in Māori medium and Pacific language early learning services) and relevant agencies such as Te Whatu Ora<sup>2</sup> should be involved.
7. As part of this work, we will consider options for improving the quality of centre-based early childhood environments. Improving quality standards may involve changes to existing guidance for EC services, as well as to the Licensing Criteria<sup>3</sup>, and/or to the Education (Early Childhood) Regulations 2008.

## Progress to date

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8. We have established a cross-Ministry project team and developed an integrated approach to the work to deliver high-quality, comprehensive guidance for centre-based EC services.
9. Phase 1 will involve reviewing current evidence and settings and developing recommendations on environmental factors, and aspects of centre design and group size/organisation as shown below, including for EC services located in high-rise buildings.

Environmental factors (Workstream 1)	Centre design and group size/organisation (Workstream 2)
<ul style="list-style-type: none"><li>• thermal comfort</li><li>• ventilation and air quality</li><li>• lighting</li><li>• noise/acoustics</li><li>• activity space (m<sup>2</sup>)</li></ul>	<ul style="list-style-type: none"><li>• indoor active play spaces</li><li>• outdoor active play spaces</li><li>• quiet/noisy activity spaces</li><li>• group size/organisation</li><li>• nature-based EC services</li></ul>

10. Phase 2 will focus on developing and publishing comprehensive guidance for EC services in these areas.
11. Decisions on whether recommendations should be reflected in updated guidance, and/or changes to the Licensing Criteria, or regulatory changes (particularly for

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<sup>1</sup> ELAP 1.3 refers to 'advice' but we use 'guidance' to make it clear this refers to information for EC services.

<sup>2</sup> Previously "District Health Boards" as referred to in ELAP 1.3.

<sup>3</sup> Licensing Criteria for Early Childhood Education & Care Services 2008.

environmental health standards) will also be made during Phase 2. Any proposed regulatory changes resulting from ELAP 1.3 will be followed up as a separate piece of work.

12. We will update you on progress with ELAP 1.3 as part of regular ELAP reporting.

### Advisory panel

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13. We intend to establish the *Centre design, Environmental factors and Group size and organisation Advisory Panel (CEGAP)* to advise and inform work on the initial recommendations (Phase 1) and to contribute to, and provide feedback on, the draft guidance (Phase 2).
14. The ELAP 1.3 advisory panel is expected to be operational from 2023 through to the end of 2024. If needed, changes to this timeframe may be made by mutual agreement.
15. Draft terms of reference for the CEGAP are attached for your information in Annex 1.

### Next steps

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16. The Ministry will invite people with relevant knowledge, skills, and expertise to submit expressions of interest for CEGAP membership. Selected applicants will be asked to agree to the CEGAP Terms of Reference prior to confirmation on the panel.

### Other Relevant Information

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17. Māori perspectives relating to centre design, environmental factors, and group size/organisation will be sought throughout the work and incorporated in the guidance.
18. Pacific perspectives relating to centre design, environmental factors, and group size/organisation will be sought throughout the work and incorporated in the guidance.
19. Disability perspectives relating to centre design, environmental factors, and group size will be sought throughout the work and incorporated in the guidance. This will benefit disabled children by ensuring that accessibility and inclusion are considered at all stages of the work.

### Annexes

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- Annex 1: ELAP 1.3 Centre design, environmental factors and group size and organisation Advisory Panel (CEGAP) draft Terms of Reference

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### Background

*He taonga te tamaiti – Every child a taonga: Early Learning Action Plan 2019–2029* (ELAP) sets the direction and vision for early learning from 2019 to 2029. The vision is of an early learning system that enables every child to enjoy a good life, to learn and thrive in high quality settings that support their identity, language and culture, and to be valued by parents and whānau.

ELAP Action 1.3 focuses on the provision of high-quality early childhood environments, including centre design, environmental factors, and group size and organisation. The Ministry of Education (the Ministry) is tasked with developing comprehensive, integrated and culturally appropriate advice about the relationships between centre design, environmental factors, and group size/organisation. This work will lead to the development of updated guidance for early childhood services spanning three core areas:

1. Centre design – factors that enable active play indoors and outdoors, indoor spaces that support concurrent noisy and quiet activities, nature-based services.
2. Environmental factors– thermal comfort, ventilation and air quality, lighting, acoustics/noise, and activity space (m<sup>2</sup>).
3. Group size and organisation – factors that enable small-group interactions.

This will include reviewing current environmental settings and considering ways of improving quality in these areas, potentially involving regulatory and/or licensing criteria changes. The establishment of an advisory panel aligns with the ELAP Action 1.3 stated intention for this work to be supported by expert technical advice. CEGAP will be established in 2023 and is likely to be required until the end of 2024.

The Ministry will maintain oversight of CEGAP and is responsible for keeping the Minister of Education informed of any relevant outcomes, risks and issues.

### Purpose

The purpose of the *Centre design, Environmental factors and Group size and organisation Advisory Panel (CEGAP)*<sup>4</sup> is to provide expert technical, research, early childhood education, and cultural advice to ensure that work on ELAP Action 1.3 integrates relevant knowledge and evidence, including mātauranga Māori.

### Project Objectives

*Objective 1– review of current settings:* ELAP Action 1.3 requires the Ministry to review current environmental factor settings and to identify ways to improve quality in these.

*Objective 2 – early childhood centre guidance:* ELAP Action 1.3 describes the need for comprehensive, integrated, and culturally appropriate centre guidance. This will include developing centre design principles, as well as advice on high-quality indoor and outdoor physical environments, centre design, and group size and organisation. This work may lead to consideration of proposals for regulatory change (including licensing criteria).

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<sup>4</sup> Advisory panel name to be confirmed.

## Project Scope

ELAP Action 1.3 covers thermal comfort, ventilation and air quality, acoustics, lighting and amount of activity space per child (environmental factors); indoor and outdoor activity spaces, spaces for concurrent quiet and noisy activities (centre design); group size and organisation; and the relationships between these areas. The design and environmental quality of nature-based services, and early childhood (EC) services in high-rise buildings are also in scope.

Areas covered by the Building Code (eg, technical building specifications) or which do not relate to child-focused activities are outside the scope of this work. For example, kitchen and bathroom technical specifications, fencing, parking and the like. Full details are provided in the project overview.

Centre-based, teacher-led EC services are the focus of this work. However, the Ministry intends that the guidance that is developed will have relevance for all early learning services. Te Kōhanga Reo National Trust Board will also be invited to take part in this work, in whole or in part, at their discretion, including CEGAP participation.

The centre guidance that is developed, and any potential regulatory proposals, will align with the wider ELAP vision and objectives, and with Te Whāriki, and relevant strategy documents such as *Ka Hikitia–Ka Hāpaitia*, and the *Action Plan for Pacific Education 2020–2030*.

## Role

CEGAP will play a central role in supporting the Ministry's development of guidance for early childhood services. CEGAP will act in an advisory role to the Ministry and will not have a decision-making role.

In relation to the project objectives, CEGAP will help ensure that the guidance provided accurately reflects current knowledge and will contribute to high-quality EC services that promote children's wellbeing.

Panel members will contribute early childhood expertise, cultural knowledge, technical and academic knowledge, and experience relevant to:

- centre design
- environmental factors
- group size/organisation.

Importantly, there will be CEGAP members with expertise in Te Ao Māori perspectives in relation to these and /or related areas. CEGAP members will also include those with expertise in Pacific perspectives.

CEGAP will undertake tasks in accordance with these terms of reference, including providing advice in panel members' respective areas of expertise. This will include providing verbal and/or written input into documents as they are developed and reviewing draft documents and proposals as required, as well as helping identify potential risks and opportunities.

CEGAP advice and input will be sought in different ways such as meetings of the whole panel, smaller topic-specific meetings and email requests for feedback and advice. The Ministry may also commission discrete pieces of work from CEGAP members as required.

## Chair

The Chair of the advisory panel will be appointed and employed by the Ministry. The Chair will have excellent facilitation skills – both in-person and videoconferencing (with technical

support from the Secretariat). They will lead all CEGAP meetings, and coordinate requests for advice and feedback unless otherwise mutually agreed by the Ministry and CEGAP. This may include liaising with the media and other communications activities as required.

## **Membership**

The Ministry will seek expressions of interest through a range of channels and undertake a selection process to confirm CEGAP membership.

CEGAP will comprise around 10-12 members with relevant early childhood knowledge and expertise in one or more of the following areas:

- environmental factors: thermal comfort, acoustics (noise), lighting, activity space, ventilation and air quality (indoor and outdoor), including current research evidence and technical advances
- early childhood centre design (indoor and outdoor activity spaces)
- group size and organisation
- early childhood centre architecture / design.
- Te Ao Māori worldview in relation to these and/or related areas
- Pacific perspectives in relation to these and/or related areas.

## **Meetings**

The Ministry will convene CEGAP meetings, and these will be led by the Chair. Meetings will be held as required, with an agreed agenda and/or meeting focus. It is anticipated that monthly meetings may be required throughout 2023 (approximately 6-8 meetings), moving to quarterly in 2024. Additional, topic-specific meetings (online or in person) may be convened as required by mutual agreement.

Ministry staff will participate in CEGAP meetings and activities as appropriate. Meetings will mainly be held online (Teams), with in-person meetings as required. The Ministry will cover all costs directly associated with hosting any in-person meetings held in Wellington. These will include transport, catering and any other actual and reasonable expenses associated with members' attendance but will not include professional fees.

## **Secretariat and meeting packs**

The Ministry will provide the Secretariat for the CEGAP. The Ministry will provide an agenda, developed in collaboration with CEGAP, in advance of each meeting and will record meeting notes and distribute these to CEGAP members following each meeting. The CEGAP chair will help develop meeting agendas and will be the first point of contact for urgent requests from the Ministry.

## **Responsibilities**

CEGAP members will be responsible for ensuring that they:

- have the capacity (time available) and capability (knowledge and skills) to fulfil the role, including preparing for and regularly attending meetings (online or in -person), and completing any agreed follow-up actions
- are able to commit to CEGAP for the duration stated (to the end of 2024)
- are committed to the project and their personal contribution to its success
- will engage with the discussion during meetings and contribute to draft documents
- will actively assist with issue resolution and consensus building

- will engage with the Ministry in good faith, champion the objectives of ELAP Action 1.3 with stakeholders, and accurately report CEGAP's views in any wider engagement with the sector or the public.

CEGAP membership may be reviewed by the Chair and the Ministry as work progresses, to ensure CEGAP continues to include the expertise and knowledge required. Any new members must meet the same selection criteria and responsibilities stated above. CEGAP and/or the Ministry may also co-opt panel members with specific areas of expertise from time to time as required, by mutual agreement.

CEGAP members may have diverse perspectives. In the interests of achieving the best possible outcomes, it is proposed that CEGAP members agree to take a joint interests-based approach to:

- identify and work through any differences to reach a consensus view
- actively support, recommend and communicate CEGAP consensus positions.

### **Confidentiality and intellectual property**

CEGAP members may be presented with a range of private or confidential information, as well as data, research and analysis developed by the Ministry for topics under discussion. This will include material that is still under development, and that does not reflect either Ministry or Government policy and is not to be shared outside of CEGAP. CEGAP members are not to disclose any information they receive in their role as a member unless the Ministry specifically indicates that they can disclose certain information. Presenters will notify the group of sensitive information before presenting and the Ministry will advise members of the information that they can disclose on a meeting-by-meeting and/or document-by-document basis.

All panel members are expected to act professionally, respect each other's and the Ministry's interests, and maintain the confidentiality of information provided for their advice, comment, and review.

All panel members will be required to sign a non-disclosure agreement. The CEGAP, and CEGAP members acting in that capacity, will not make media statements without the prior agreement of the Ministry of Education. If the CEGAP is asked to provide comments on any issue relating to education by a third party (ie, other than the Minister or Ministry), that CEGAP member will forward the question or request to the Ministry of Education through the dedicated email address which will be established.

Any work product developed with CEGAP will be the property of the Ministry. These Terms of Reference and CEGAP membership details (name and role) will be published on Kōrero Mātauranga.

### **Conflicts of interest**

CEGAP members will be required to disclose conflicts of interest relating to the ELAP Action 1.3 work programme (centre design, environmental factors, group size and organisation). CEGAP members who have a specific, actual COI in relation to an issue or item will advise the Ministry and excuse themselves from consideration of those issues or items. If CEGAP members develop new, relevant COIs, whether actual, potential or perceived, during the ELAP Action 1.3 work, they will inform the Ministry's secretariat as soon as is reasonably practicable so these can be managed appropriately.

### **Communication**

The Ministry will provide regular progress updates on ELAP Action 1.3 through the ELAP reporting process and provide more detailed updates and advice as required.