



## Education Report: **Gazetting *Te Whāriki*: Early engagement and public consultation**

<b>To:</b>	Hon Chris Hipkins, Minister of Education		
<b>Cc:</b>	Hon Kelvin Davis, Associate Minister of Education (Māori Education)		
<b>Date:</b>	10 September 2021	<b>Priority:</b>	Medium
<b>Security Level:</b>	In Confidence	<b>METIS No:</b>	1266950
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<b>Messaging seen by Communications team:</b>	No	<b>Round Robin:</b>	No

### Purpose of Report

This paper seeks your agreement to:

1. Public consultation on the draft Early Childhood Curriculum Framework (Annex1) from 26 October to 7 December 2021.
2. Circulate Cabinet paper (Annex 2) for Ministerial consultation before lodging it with the Cabinet Office by 10 am on **14 October 2021** for consideration by the Cabinet Social Wellbeing Committee (SWC) on 20 October 2021.

### Summary

1. Action 4.1 of the Early learning Action Plan 2019–2029 (ELAP) is to “Gazette the curriculum framework, *Te Whāriki*, to support engagement with the principles, strands, goals and learning outcomes when designing local curricula” (action 4.1). The intent of this action is to strengthen quality of curriculum implementation by ensuring kaiako engage with the full framework of *Te Whāriki: He whāriki mātauranga mō ngā mokopuna o Aotearoa (Te Whāriki)* when designing, implementing and evaluating local curricula.
2. Following your feedback on earlier advice (METIS 1246520 refers), we have undertaken early engagement with Te Kōhanga Reo National Trust (TKRNT), Māori medium Early Childhood Education (ECE) services, Pacific ECE services, and sector representatives on the Early Childhood Advisory Committee (ECAC) group. The overall feedback has indicated support to expand the gazetted legal early childhood curriculum framework.
3. TKRNT has confirmed that it wants to expand the legal curriculum framework for ngā kōhanga reo affiliated with it through the inclusion of Te Tauira Whāriki | Te Katoa o te Mokopuna from *Te Whāriki a te Kōhanga Reo*. Māori medium early childhood services not

affiliated with TKRNT have also requested a te ao Māori interpretation of the goals and learning outcomes of *Te Whāriki* in the legal framework, rather than a direct translation from the English text.

4. The early engagement has highlighted a need for planned and sustained implementation support to help early learning services implement the goals and learning outcomes of *Te Whāriki*. The guidance associated with the various licensing criteria for different types of early learning services would also need updating to reflect the prescribed curriculum framework.
5. We propose undertaking formal public consultation from 26 October to 7 December 2021 so that it does not coincide with consultation on the Early Learning Regulatory Review Tranche 2 proposals in September and October 2021. This consultation will be on the following proposal related to ELAP action 4.1:
  - expand the Early Childhood Curriculum Framework to include the full framework of the principles, strands, goals and learning outcomes of *Te Whāriki: He whāriki mātauranga mō ngā mokopuna o Aotearoa*; and
  - include a te ao Māori interpretation of the principles, strands, goals and learning outcomes of *Te Whāriki: He whāriki mātauranga mō ngā mokopuna o Aotearoa*.
6. Both the full framework of *Te Whāriki* and the te ao Māori interpretation would be complementary and supportive of Māori-medium services outside of Te Kōhanga Reo National Trust – services could use either or both.
7. Subject to your agreement, the expanded legal curriculum framework would be published in the *New Zealand Gazette* in March 2022. We recommend at least six months between the publication of the notice and the notice coming into force.
8. We will continue to engage with iwi and hapū Māori through our regional relationships on gazetting an expanded legal curriculum framework to ensure we continue to fulfil the Crown's duties arising from Te Tiriti o Waitangi.
9. We seek your feedback on the draft Cabinet paper and agreement to circulate it to your Ministerial colleagues. Subject to your agreement, we are planning Ministerial consultation on the Cabinet paper in the week beginning 27 September 2021.
10. If you wish to take the Cabinet paper on gazetting *Te Whāriki* to SWC on 20 October 2021, it will need to be lodged with the Cabinet Office by 10 am on **14 October 2021**.

## Recommended Actions

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The Ministry of Education recommends you:

- a. **note** that the Ministry has undertaken early engagement with the sector on gazetting *Te Whāriki*, including with Māori medium early childhood education (ECE) services and playgroups, Pacific services, Te Kōhanga Reo National Trust, and sector representatives on the Early Childhood Advisory Committee (ECAC)
- b. **agree** that we undertake public consultation on the draft expanded Early Childhood Curriculum Framework (Annex 1) from 26 October to 7 December 2021  
**Agree / Disagree**
- c. **note** that we seek your feedback on the attached draft Cabinet paper (Annex 2)
- d. **agree** from 27 September to 8 October 2021 to circulate the draft Cabinet paper (Annex 2) for Ministerial consultation  
**Agree / Disagree**
- e. **agree** to lodge a Cabinet paper with the Cabinet Office before 10 am Thursday 14 October 2021 for the Cabinet Social Wellbeing (SWC) to consider on 20 October 2021  
**Agree / Disagree**
- f. **agree** that this Education Report is proactively released, with any information that may need to be withheld is in line with the provisions of the Official Information Act 1982

NB. Timeframes may now need to be amended. CH

**Agree / Disagree.**

  
Nancy Bell  
Director, Early Learning  
Early Learning and Student Achievement

  
Hon Chris Hipkins  
Minister of Education

09/09/2021

15 / 10 / 2021

## Background

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1. Action 4.1 of the Early learning Action Plan 2019–2029 (ELAP) is to “Gazette the curriculum framework, *Te Whāriki*, to support engagement with the principles, strands, goals and learning outcomes when designing local curricula.” The intent of this action is to strengthen quality of curriculum implementation by ensuring kaiako engage with the full curriculum framework when designing, implementing and evaluating local curricula.
2. Section 23 of the Education and Training Act 2020 gives the Minister of Education delegated authority to prescribe or change a curriculum framework for licensed early childhood services and certified playgroups through the publication (‘gazetting’) of a notice in the *New Zealand Gazette*.<sup>1</sup> This is subject to consultation with stakeholders that the Minister considers “represent those likely to be substantially affected by the framework or change.”<sup>2</sup>
3. The current legal curriculum framework for early learning was gazetted in 2008 and consists of the principles and strands of *Te Whāriki*<sup>3</sup> and ngā kaupapa whakahaere and ngā taumata whakahirahira of *Te Whāriki a te Kōhanga Reo*.
4. Previous public consultation with the sector about gazetting the full framework of *Te Whāriki* happened through consultation on the draft Early Learning Strategic Plan from November 2018 to March 2019. In December 2020, you agreed to the Ministry undertaking early engagement with the sector on your behalf about ELAP action 4.1 (METIS 1246520 refers).
5. The Ministry has undertaken early engagement with Māori medium early childhood education services, Te Kōhanga Reo National Trust (TKRNT), Pacific services, and sector representatives on the Early Childhood Advisory Committee (ECAC) group. This has helped us develop the public consultation approach and draft expanded legal curriculum framework we are proposing (Annex 1).
6. At the Early Learning Action Plan (ELAP) Stocktake Strategy Session on 30 June 2021, you expressed support for a revised timeframe for consulting on gazetting *Te Whāriki* in the fourth quarter of 2021 (METIS 1266093 refers). This was recommended to allow the Ministry to confirm a draft legal curriculum framework that would be suitable for Māori medium ECE services.

## Early engagement

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7. Early engagement on gazetting the full legal curriculum framework of *Te Whāriki* has enabled us to discuss the implications of ELAP action 4.1 in more depth with sector representatives and services.

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<sup>1</sup> Section 23(1) and (3).

<sup>2</sup> Section 23(2).

<sup>3</sup> *Te Whāriki* in italics is the short title for *Te Whāriki: He whāriki mātauranga mō ngā mokopuna o Aotearoa Early childhood curriculum*. *Te Whāriki* (2017) refers inclusively to *Te Whāriki: He whāriki mātauranga mō ngā mokopuna o Aotearoa Early childhood curriculum* and *Te Whāriki a te Kōhanga Reo*. *Te Whāriki a te Kōhanga Reo*.

### *Te Kōhanga Reo National Trust*

8. Ngā kōhanga reo have distinct requirements in the current legal curriculum framework. The Ministry has discussed with TKRNT whether it would like to gazette the full framework of *Te Whāriki a te Kōhanga Reo*. The Trust has said that it wants to do this by including Te Tauira Whāriki | Te Katoa o te Mokopuna from *Te Whāriki a te Kōhanga Reo*. This additional content is set out in Annex 1.

### *Māori medium ECE services and playgroups*

9. From March to May 2021, the Ministry held a series of hui across Aotearoa with representatives of Māori medium early childhood services and playgroups outside the auspices of TKRNT. The hui focused on the PLD review (action 3.6 in the ELAP) and the implications of gazetting the goals and learning outcomes of *Te Whāriki*. This engagement reached nearly all of the early childhood education services outside of TKRNT that identified as a Māori immersion or bilingual service in the 2020 Census.
10. We found that these services and playgroups support expanding the legal curriculum framework to include the goals and learning outcomes of *Te Whāriki*. However, they told us they want a te ao Māori interpretation of the goals and learning outcomes of *Te Whāriki* in the legal curriculum framework, rather than a direct translation from the English.
11. In June and July, with *Te Whāriki* (2017) curriculum experts, the Ministry developed a draft te ao Māori interpretation of the goals and learning outcomes by referring directly to the bicultural foundation of *Te Whāriki* and the language and concepts of its principles | kaupapa whakahaere and strands, goals and learning outcomes | taumata whakahirahira. This was tested with the Māori medium services that were involved in the earlier hui, and we have received overwhelming support for it (set out in Annex 1).

### *Pacific services*

12. The Ministry also met with kaiako from Pacific services during the period of early engagement. These services see little impact for them to expand the legal curriculum framework. They highlighted the need for PLD opportunities to develop consistency across Pacific services to unpack the terms and concepts of *Te Whāriki* to gain better consistency in its use from the perspectives of different Pacific languages and cultures.

### *Early Childhood Advisory Committee (ECAC)*

13. Following a presentation at ECAC on 17 March 2021, we invited ECAC members to contact us if they would like to discuss gazetting *Te Whāriki*. We have engaged with the Early Childhood Council (ECC), NZEI, Barnardos, Montessori Aotearoa of NZ (MANZ) and Steiner Education Aotearoa New Zealand.
14. ECC, NZEI and Barnardos have expressed their support for gazetting the goals and learning outcomes of *Te Whāriki*, seeing it as an opportunity to support deeper engagement with the full framework of *Te Whāriki* by kaiako.
15. MANZ and Steiner have expressed concerns that making some of the learning outcomes of *Te Whāriki* part of the gazetted framework could conflict with their educational philosophies. This reflects earlier feedback these organisations provided on the draft Strategic Plan for Early Learning and the 2017 refresh of *Te Whāriki*. We consider that the framework of principles, strands, goals and learning outcomes of *Te Whāriki* is broad

enough to accommodate diverse educational philosophies. Both organisations have a good relationship with the Ministry, and we will continue engaging with them to address their concerns.

## Public Consultation

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16. We intend to undertake formal public consultation from 26 October to 7 December 2021 on the following proposal:
- expand the Early Childhood Curriculum Framework to include the full framework of the principles, strands, goals and learning outcomes of *Te Whāriki: He whāriki mātauranga mō ngā mokopuna o Aotearoa*; and
  - include a te ao Māori interpretation of the goals and learning outcomes of *Te Whāriki: He whāriki mātauranga mō ngā mokopuna o Aotearoa*.
11. This proposal would be implemented with the publication of the gazette notice. Both the full framework of *Te Whāriki* and te ao Māori interpretation would be complementary and supportive of Māori-medium services outside of Te Kōhanga Reo National Trust – services could use either or both.
17. Note we will not include Te Kōhanga Reo National Trust's intention to gazette the full curriculum framework of *Te Whāriki a Te Kōhanga Reo* for ngā kōhanga reo in the consultation proposals as we have already discussed this with the Trust, which consults with its membership directly.

### Timing

18. Our recommended option for timing for consultation on gazetting *Te Whāriki* is from **26 October to 7 December 2021**. We recommend this approach because the Tranche 2 proposals on the Early Learning Regulatory Review and network planning are substantive and its best if the sector can give them undivided attention through September and October.
19. Under this timing, the deadline for lodging the Cabinet paper with the Cabinet Office would be by 10 am on **Thursday 14 October 2021** for Cabinet Social Wellbeing Committee (SWC) to consider on 20 October 2021.
20. The following table highlights the milestones that will be part of public consultation and implementation:

Date	Stage	Comment
September 2021	Cabinet approval for public consultation	<p>13 to 23 September 2021 – Departmental consultation on Cabinet paper</p> <p>27 September to 8 October 2021 – Ministerial consultation (note: House is only sitting 28 to 30 Sept before rising until 19 Oct)</p> <p>14 October 2021 – Cabinet paper lodged with Cabinet Office</p> <p>20 October 2021 - Social Wellbeing Committee (SWC) for cabinet approval</p>
26 October to 7 December 2021	Public consultation	
September – early December 2021	Further engagement and consultation with identified stakeholders	<p>26 October 2021 – Email to Early Childhood Advisory Committee (ECAC) to inform them of public consultation</p> <p>TBC – meeting with Montessori Aotearoa New Zealand (MANZ)</p> <p>TBC – meeting with Steiner Education Aotearoa New Zealand</p>
January 2022	Analysis of consultation feedback	
Late February 2022	Second Education report to Minister's office	Report will highlight the findings from consultation and make recommendations about gazetting an expanded curriculum framework.
Early March 2022	Ministerial agreement to publish expanded curriculum framework in <i>New Zealand Gazette</i> .	Note: as the Minister of Education has the delegated authority in the Education and Training Act 2020 to set or amend an early learning curriculum framework (subject to consultation requirements), Cabinet agreement is not required.
Late March 2022	Publication of expanded curriculum framework in <i>New Zealand Gazette</i> .	<p><b>Six months will be provided between the publication of the notice and coming into force.</b></p> <p>Ministry will provide comms on consultation results e.g. Early Learning Bulletin.</p>
April - June 2022	Consult with sector on draft C1 curriculum criteria guidance and seek views on what services need and provide guidance that reflects this.	<p>Early May 2022 - Consult on a draft version of C1 guidance with external stakeholders through Early Learning Bulletin.</p> <p>End of May/early June 2022 - Finalise guidance and alert in Early Learning Bulletin.</p>

Late March – early October 2022	Implementation of new early childhood curriculum framework with guidance and support provisions	<p>Early April 2022 - Communicate timeline for implementation and guidance that will be provided for services through Early Learning Bulletin.</p> <p>May 2022 – instructional video outlining expansion of legal curriculum framework (including implementation and timings)</p> <p>May 2022 – Workshop with Ministry regional and curriculum leads around implementation support</p> <p>June 2022 – Webinar for kaiako and service managers on implementation and guidance</p> <p>June 2022 – Live Q &amp; A online to answer questions about the new framework and provide guidance (saved as podcast online)</p>
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## Planned implementation

21. In February 2021, we will provide you with an Education Report that summarises the public consultation and includes recommendations for gazetting an expanded curriculum framework.
22. Subject to the findings of the consultation and your agreement, we would publish the expanded framework in the *New Zealand Gazette* in March 2022. We recommend at least six months between the publication of the notice and the notice coming into force to support effective implementation.

### *Implementation support*

23. Te Whāriki Online already has a range of resources that would help services implement the full framework of *Te Whāriki*. Throughout 2022 the Ministry will be publishing further resources to support the design and implementation of local curriculum aligned with *Te Whāriki*. Following the gazetting of the full framework, these resources would be supported with products such as an instructional video, webinar, and a live Q & A that highlights the regulatory implications of gazetting the full framework of *Te Whāriki* for services and provides guidance on how to implement the full framework to meet regulated standards.
24. The Ministry has completed a review of early learning PLD as the first step in progressing action 3.6 of the ELAP (develop a sustained and planned programme of PLD). As part of advice following this review, we are preparing a Budget bid to support a sustained and planned programme of PLD for curriculum implementation (Budget 2022-23). In the meantime, the Ministry intends to make cost-neutral adjustments to Strengthening Early Learning Opportunities (SELO) funding that will lead to greater national coherence and cultural responsiveness, including for Māori medium and Pacific ECE services.
25. A PLD priority would be support for the Māori medium ECE services we have engaged with to implement the te ao Māori interpretation of the gazetted framework. 9(2)(b)(ii)

Another potential PLD



priority would be support for Pacific early learning services, which have asked for support to interpret and apply *Te Whāriki* in diverse Pacific contexts.

#### *Updated licensing criteria guidance*

26. Our analysis of the various licensing criteria for different types of early learning services shows that there will be a need to update the guidance for C1 curriculum criteria to reflect a new prescribed curriculum framework. Existing guidance around the curriculum licensing criteria only refers to the current prescribed framework of the principles and strands of *Te Whāriki*. Updated guidance would need to also refer to the goals and learning outcomes to help services meet the new standard.
27. We will need to have draft guidance ready from the time the new framework is gazetted in March 2022 to test with the sector through the Early Learning Bulletin before releasing a final version of the guidance by mid-2022 for services to refer to during the six-month notice period.

#### Cabinet Committee

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28. Section 5.11(f) of the Cabinet Manual requires the appropriate Cabinet Committee to consider discussion and public consultation documents before release. The draft Cabinet paper for your consideration and consultation with your ministerial colleagues is attached as Annex 2. The draft Cabinet paper contains the following appendices:
  - Appendix 1: Education (Early Childhood Education Curriculum Framework) Notice 2008
  - Appendix 2: Consultation Document on Gazetting *Te Whāriki*
  - Appendix 3: Online survey on gazetting *Te Whāriki*
  - Appendix 4: Online content on gazetting *Te Whāriki*
29. We will circulate the draft Cabinet paper and appendices to the following agencies on 13 September 2021.
  - Education Review Office
  - Te Arawhiti
  - Parliamentary Council Office
  - Department of Prime Minister and Cabinet
  - Te Puni Kōkiri
  - Ministry for Pacific Peoples
  - New Zealand Qualifications Authority
  - The Treasury
  - Teaching Council
  - Tertiary Education Commission
  - State Services Commission.
30. We will highlight any substantive feedback on the draft Cabinet paper that we receive from agencies in the briefing note about the version of the paper that will be provided for Ministerial consultation.

## Te Tiriti o Waitangi Analysis

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31. We have reflected the Crown's duties under the principles of Te Tiriti o Waitangi through our engagement with TKRNT on gazetting further parts of *Te Whāriki a Te Kōhanga Reo* and reaching agreement with the Trust to include Te Tauira Whāriki | Te Katoa o te Mokopuna from *Te Whāriki a te Kōhanga Reo* in the expanded curriculum framework for ngā kōhanga reo. We have also reflected these commitments in our ongoing engagement with Māori medium ECE services about the gazetting *Te Whāriki* work, including the development of the draft te ao Māori interpretation of the goals and learning outcomes that we plan to consult on with the sector.
32. We will continue to engage with iwi and hapū Māori around implementing support for gazetting an expanded legal curriculum framework to ensure we further honour the Crown's commitments arising from Te Tiriti o Waitangi. We will do this through Ministry regional offices, which hold these relationships.

## Next steps

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33. We are planning departmental consultation on the draft Cabinet paper from 13 to 23 September 2021.
34. Subject to your agreement, we are planning Ministerial consultation on the Cabinet paper from 27 September to 8 October 2021.
35. If you wish to take the Cabinet paper on gazetting *Te Whāriki* to SWC, it will need to be lodged with the Cabinet Office by 10 am on **14 October 2021** for consideration by SWC on 20 October 2021.
36. In February 2022, we will provide you with an Education that will summarise the findings from consultation and make recommendations about gazetting an expanded curriculum framework.

## Annexes

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- Annex 1: Draft Early Childhood Curriculum Framework New Zealand Gazette replacement notice
- Annex 2: Consultation on expanding the legal curriculum framework for early learning [draft Cabinet paper, including Appendices 1 to 4]