



Education Report: Next steps to strengthen the Person Responsible requirements in early childhood education services

To:	Hon Chris Hipkins, Minister of Education		
Cc:			
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Purpose of Report

This paper summarises the feedback received on proposals to strengthen the person responsible requirement in teacher-led centre-based services, hospital-based services, and home-based services, and provides you with advice on the next steps to regulate for these proposals.

Summary

In late 2021, the Ministry of Education consulted on proposals to strengthen the person responsible requirement for teacher-led centre-based services (centres), hospital-based services and home-based services. The person responsible plays an important role in ensuring the quality of education and care, including supervising and overseeing children, teachers, and other adults.

We publicly consulted on the following proposals relating to centres and hospital-based services:

- Requiring the person responsible to hold a Category One or Two practising certificate in teacher-led centres and hospital-based services.
- Clarifying the person responsible role in teacher-led centres.
- Requiring the person responsible in teacher-led centres to hold a first aid qualification.
- Clarifying the person responsible role in hospital-based services.

These proposals were all well supported and received at least 80% agreement from respondents. Some respondents raised concerns about tight teacher supply potentially impacting services' ability to employ persons responsible with full practising certificates. Respondents also expressed the need for further clarification on the nature of the supervisory function of the person responsible. Due to the high level of support for these four proposals, we consider that only minor changes and clarifications are necessary. These include

accommodating teacher supply concerns by delaying the commencement of the first recommendation by six months, relative to the other changes, and adding more detail to the supervision requirement.

We consulted separately on the following five proposed changes relating to home-based services:

- Home-based person responsible to hold a Category One or Two practising certificate.
- Home-based person responsible to be “locally based”.
- Home-based person responsible to be limited to a single service’s licence at a time, with an increased maximum licence size.
- Home-based person responsible to support educators’ professional development when contacting and visiting them.
- Home-based person responsible to guide and observe the curriculum delivery during home visits.

Most of the proposals were well supported by the respondents. A key area of concern raised in the feedback was that requiring the person responsible to be limited to one licence and locally based may be too onerous, as they are not ordinarily present in the homes where education and care is provided. We acknowledge that regulations for home-based services need to provide a level of flexibility and clearly articulate the types of outcomes we want the person responsible to achieve. Thus, we have significantly amended these two proposals to reflect this.

Recommended Actions

The Ministry of Education recommends you:

- a. **agree** to require persons responsible in teacher-led centre-based services, hospital-based and home-based services to hold a Category One or Two full practising certificate

Agree / Disagree

- b. **agree** that the requirement above for persons responsible in teacher-led centre-based services, hospital-based and home-based services to hold a Category One or Two full practising certificate come into force six months after the other recommended actions outlined below

Agree / Disagree

- c. **agree** to clarify that persons responsible in teacher-led centres are required to:

- i. supervise children in attendance, and staff providing education and care (even if located in separate spaces), which includes being actively involved with children and teaching staff
- ii. provide education and care to children in attendance and guidance to teaching staff
- iii. ensure all staff are implementing the gazetted curriculum framework and know how to use it in their teaching

- iv. ensure that day-to-day health and safety risks and hazards are identified, and appropriate steps are taken to address those risks or hazards when children attend

Agree / Disagree

- d. **agree** to require persons responsible in teacher-led centres to hold an accredited first aid qualification

Agree / Disagree

- e. **agree** to clarify that persons responsible in hospital-based services are required to:

- i. supervise children and staff at the service, and adults in the activity room (even when children and staff are located in separate spaces), which includes being actively involved with children, teaching staff and adults
- ii. ensure there is at least one adult present when children are in the activity room
- iii. provide education and care to children and guidance to teaching staff
- iv. ensure all staff are implementing the gazetted curriculum framework and know how to use it

Agree / Disagree

- f. **agree** to limit the person responsible in home-based services to work across up to two licences within each calendar month, and only on one licence at any time, and increase licence size from 80 to 100 children

Agree / Disagree

- g. **agree** to require the person responsible in home-based services to be locally based, which means that they must:

- i. either reside, or have a permanent place of business from which they conduct their daily responsibilities, in the same local area as the educator(s) for which they are responsible
- ii. be in sufficiently close proximity to the educator(s) and children for which they are responsible to be able to fulfil the obligations of their role, including but not limited to overseeing the education and care, comfort, and health and safety of the children
- iii. be able to be contacted by the educator(s) for whom they are responsible, at all times those educators are providing education and care during the operating hours of the licensed early childhood service
- iv. be able to attend in person, within a reasonable travel time for the location, if requested to do so by the educator to ensure the health and safety of children or if otherwise required in the event of an emergency

Agree / Disagree

- h. **agree** to require the person responsible in home-based services to provide professional development to educators on a regular basis and keep records of any such discussion

Agree / Disagree

- i. **agree** to require the person responsible in home-based services to take all reasonable steps to observe, support and provide guidance on the curriculum delivery in the home during their visits and keep records of these activities

Agree / Disagree

- j. **agree** the Ministry will provide you with draft a Cabinet paper in June 2022, to seek approval for issuing drafting instructions and to publicly consult on draft regulations.

Agree / Disagree

Proactive Release

- k. **agree** that this Education Report is proactively released after public consultation on draft regulations starts, with any information which may need to be withheld being done in line with the provisions of the Official Information Act 1982

Agree / Disagree



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06/05/2022



Hon Chris Hipkins
Minister of Education

2 / 7 / 2022

Background

1. The Education (Early Childhood Services) Regulations 2008 (the Regulations) require every licensed early childhood service to nominate one or more people as persons responsible. The person responsible plays an important role in ensuring the quality of education and care, including supervising children, teachers, and other adults.
2. On 19 July 2021, we recommended that tranche two of the Early Learning Regulatory Review (the Review) include proposals to strengthen the person responsible requirements in centres, hospital-based services, and home-based services [METIS 1255415 refers].
3. Cabinet approval to undertake public consultation on the proposals was given in September 2021 [CBC-21-MIN-0087 refers]. Public consultation ran from 8 September to 22 October 2021, alongside consultation on proposals to regulate for 80% qualified teachers in centres. A survey was undertaken for the home-based person responsible proposals and a separate survey was undertaken for centres and hospital-based person responsible proposals. We also invited written submissions.

The current person responsible requirements have several issues

4. The current person responsible requirements necessarily differ across the three licensed service types. However, all persons responsible are required to be ECE or Primary qualified and hold a current practising certificate for teaching, and all services are required to have one person responsible for every 50 children at all times while children are attending a service.

Teacher-led centre-based services

5. The person responsible in centres is required to be directly involved in, and primarily responsible for, the day-to-day education and care, comfort, and health and safety of children. They must also supervise the children attending the service, and the adults providing education and care who supervise them. The role is shared by more than one person responsible over the day to cover breaks and non-contact time.
6. The Regulations and Licensing Criteria provide limited detail or direction about the types of functions and responsibilities necessary to meet the person responsible requirements for centres.

Hospital-based services

7. In hospital-based services, the person responsible has primary responsibility for the education of children participating in the service and ensuring supervision of children in the activity room used as part of the service. They must also support the health and safety and care of the children.
8. As with all other service types, the person responsible must also supervise the children attending the service, and the adults providing education and care who supervise them. As with teacher-led centres, the Regulations and Licensing Criteria provide little detail or direction about what it means for the person responsible in a hospital-based service to comply with these requirements.

Home-based services

9. Home-based services are different to other service types as the person responsible (or co-ordinator) is not ordinarily present in the home where the educators care for up to four children at one time. Therefore, the regulations include a mix of general and specific requirements, including to:
 - a. oversee the education and care, comfort, and health and safety of the children
 - b. supervise the children attending the service, and the adults providing education and care who supervise them
 - c. contact each educator engaged in the service at least once per fortnight
 - d. visit each educator engaged in the service at least once per month
 - e. take all reasonable steps each month to observe each child participating in the service while that child is receiving education and care
 - f. provide professional leadership and support to educators within the service.
10. The main problem with the current person responsible requirements for home-based services is that they can be interpreted as requiring only minimal supervision or oversight of educators and children, and only minimal physical interaction. For example, there is currently no regulatory requirement for the person responsible to be locally based, which means they can be based in another part of the country from the educators and children they have supervisory and oversight responsibilities for. This creates significant risks in terms of the quality of the supervision and oversight for home-based services.

Consultation results

Person responsible requirements in teacher-led centre-based and hospital-based services

11. We undertook consultation on proposals for person responsible requirements in centres and hospital-based services alongside consultation on proposals to regulate for 80 percent qualified teachers [METIS 1255415 refers]. We received 218 survey responses and 34 written submissions on these proposals. The feedback on each proposal is summarised below.

Person responsible to hold a Category One or Two practising certificate

12. We asked whether the person responsible role should be restricted to experienced teachers with a full practising certificate: 79 percent of respondents agreed with this proposal and 14 percent disagreed. We asked if services would be able to comply with this requirement: 68 percent responded that they would be able to comply, 21 percent responded that they might be able to, and 6 percent responded that they would not be able to comply; 5 percent did not respond to this question.
13. Key concerns included that tight teacher supply may make it difficult to employ fully certificated persons responsible, and that the requirement could become difficult to manage when staff are sick or take leave. Some respondents felt that being fully certificated does not always equate to the best candidate for the role.

Clarifying the persons responsible role for centres

14. We consulted on a proposal to strengthen the current requirements by clarifying that the person responsible in centres must:
- a. supervise children in attendance and staff providing education and care (even if located in separate spaces)
 - b. provide education and care to children in attendance and guidance to teaching staff
 - c. ensure all staff are aware of the gazetted curriculum framework and how to use it in their teaching
 - d. ensure that health and safety risks and hazards are identified, and appropriate steps are taken to address those risks or hazards when children attend.
15. Almost all respondents (90 percent) agreed with the need to clarify the person responsible role in centres and the clarifications that were proposed, and 3 percent disagreed. Those that disagreed thought that the clarifications were too prescriptive and that some of the responsibilities should fall under another role, such as that of the head teacher.
16. The most common concern raised overall by respondents was that the proposed clarifications were insufficient, and that further clarification was needed around the supervisory responsibilities of the person responsible. This especially applied to how supervision is provided when children are in different spaces.

The person responsible in centres must hold a first aid qualification

17. We asked respondents whether they thought that persons responsible should hold a current first aid qualification: 91 percent of respondents agreed with this proposal and 5 percent disagreed.
18. Many submitters noted that this is already an expectation at their services and shared the view that all ECE staff or a portion of staff should have some form of first aid training.

Clarifying the persons responsible role for hospital-based services

19. We consulted on a proposal that the persons responsible in hospital-based services be expected to:
- a. supervise children and staff at the service, and adults in the activity room (even when children and staff are located in separate spaces)
 - b. ensure all staff are aware of the gazetted curriculum framework and how to use it
 - c. provide education and care to children and guidance to teaching staff
 - d. ensure there is at least one adult present when children are in the activity room.
20. Most respondents (77 percent) agreed with the proposal and only 1 percent disagreed. A further 16 percent were neutral towards the proposals and 6 percent did not respond to this question. Respondents commented that further clarification around the specific

responsibilities of the person responsible is required. Some also noted that the criteria for hospital-based services should be more like teacher-led education and care centres.

Person responsible requirements in home-based ECE services

21. We consulted separately on proposals for person responsible requirements for home-based services. We received 97 survey responses and 7 written submissions for these proposals. A summary of the feedback is provided below.

Person responsible to hold a Category One or Two practising certificate

22. We asked if the person responsible role should be restricted to experienced teachers with a full practising certificate, to ensure educators are supervised by sufficiently experienced people: 72 percent of respondents agreed with this proposal and 19% disagreed. When asked if their service would be able to comply with this requirement, 66% of respondents said they would be able to, 21% said that they may be able to, and 6% responded that they would not be able to comply.
23. Key concerns raised included tight teacher supply and difficulty employing fully certified persons responsible, especially in isolated areas. Some respondents expressed concerns that this change may obstruct the pathway for educators to become the visiting teacher once they become qualified. Due to these concerns, respondents suggested that provisionally registered teachers should be considered for the person responsible role if they have relevant ECE experience.

Person responsible to be limited to a single licence of a service

24. We asked if people agreed that the home-based person responsible should work on a single licence over a defined period (i.e., one month) to ensure greater continuity between educators and persons responsible, and to minimise the unclear division of responsibility that can occur when the role is not licence specific. Just over half (56%) of respondents agreed, 19% were neutral, and 23% disagreed.
25. Key concerns raised included the lack of flexibility this would create for the home-based sector. Some services commented that they may allocate persons responsible based on language and other needs of the homes, which may be across a few licences. Another concern raised was that this restriction would make it difficult for services if the person responsible goes on leave.
26. We asked whether increasing the licence size from 80 to 100 children would address any of the drawbacks with restricting the home-based person responsible to a single licence (as it provides services with the scope to expand the number of children within the same person responsible requirements of 1:50). Just under half (44%) of respondents agreed that the increase would address the drawbacks, 31% were neutral and 22% disagreed.

Person responsible to be locally based

27. We asked respondents whether the person responsible should be locally based in relation to the homes in the service to better support their existing supervision and oversight functions: 77% of respondents agreed and 12% disagreed.

28. We also asked whether people thought a definition for locally based should be based on a geographic requirement linked to territorial authorities or based on a requirement that a person responsible live within a reasonable travel time (within four hours) of the educators' homes. Overall, 63% of respondents thought that the definition based on travel time was more appropriate, compared to 25% who thought that the definition should be based on a geographic requirement.
29. Many comments discussed the need to have different requirements to account for differences in rural and urban travel and that more flexibility should be afforded for different situations. There were also comments that travelling four hours is too long to be considered locally based.

Person responsible to provide professional development to educators

30. We asked if people agreed that the quality and frequency of professional development provided to educators impacts on educational outcomes for children: 92% of respondents agreed and 2% disagreed.
31. We also asked whether the requirement for the home-based person responsible to provide professional leadership should be more explicit in the Regulations: 81% of respondents agreed and 6% disagreed.
32. Many respondents commented that their services are already requiring this from the person responsible. Some suggested that the person responsible should be required to keep records of professional development discussions with educators.

Person responsible to observe curriculum delivery

33. We asked if people agreed that the Regulations should articulate the expectation for the person responsible to guide and observe curriculum delivery during home visits: 82% of respondents agreed and 7% disagreed. In addition, 86% of respondents agreed that the person responsible should be required to guide and observe the curriculum delivery in line with the curriculum framework.
34. Many respondents commented that their service already requires this and that it is important for educators to have support from the person responsible to gain understanding of the curriculum.

Recommended actions to strengthen the person responsible requirements

Proposal applying to teacher-led centres, hospital-based and home-based services

Person responsible to hold a Category One or Two practising certificate

35. This proposal is common to all three service types and would limit persons responsible to experienced teachers who have been endorsed by their professional leader. This will ensure that teaching staff in teacher-led centres, hospital-based services and home-based services are supervised by certificated teachers with sufficient teaching experience.
36. Most respondents agreed with this proposal and responded that their service would be able to comply with this requirement. Teaching Council data indicates that around 99%

of current ECE trained teachers¹ hold a Category One or Two practising certificate. However, this data does not specify the distribution of these teachers across New Zealand. Thus, some services, particularly those located rurally, may find it difficult to employ fully certified teachers to fill the person responsible role.

37. While Teaching Council data suggest that services should be able to comply with this requirement, we recommend delaying the commencement by six months relative to the other changes. This would ensure that services have more time to comply with this requirement and would take some pressure off rural services that may be particularly impacted by tight teacher supply.

38. Additionally, anecdotal evidence suggests that some services employ new graduate teachers as persons responsible. Delaying commencement would give these services more time to meet the new requirement. Provisionally certificated teachers towards the end of the two-year induction programme may be able to move up to a full practising certificate during this time.

Proposals only applying to centres and hospital-based services

39. Consultation feedback showed the proposals for the person responsible requirements for centres and hospital-based services were well-supported. We recommend only making minor changes to the following three proposals to consider issues raised during consultation and to better support their implementation.

Clarify the person responsible role for centres

40. The proposal to further clarify the person responsible role in centres received strong support (90% agreed). Some respondents suggested that the new requirement for supervision would benefit from further clarification, particularly how this would work when children are located in separate spaces. We agree that the sector may benefit from further clarification and guidance on how to implement the new requirements.

41. To further clarify this, we recommend adding that the person responsible is actively involved with children and staff. This will make it clear that a teacher cannot fulfill the person responsible role when they are on break or are doing tasks in other parts of the centre, for example in the office or the kitchen.

42. We consider there may be an opportunity to provide further guidance on the supervisory function of the person responsible as part of our future work on Action 1.2 of the Early Learning Action Plan (ELAP). This action relates to how teachers are organised among groups of children in ways that support secure and consistent care, language learning pathways and positive transitions for children and whānau. Given the supervisory nature of the person responsible, it will be important to consider this role as part of this work, which is expected to be included in the next tranche of the Early Learning Regulatory Review which will begin later this year.

Requiring the person responsible in centres to hold a first aid qualification

43. To fulfil their health and safety role, persons responsible should have the necessary skills to respond to an injury to a child or adult. Currently, there must be at least one

1. Postscript: The figure on the percentage of teachers who hold a full practising certificate is incorrect. We are looking into more up-to-date data and are working through the implications of this.

adult present with a first aid qualification (or equivalent) for every 25 children¹ present in a centre, but persons responsible are not required to hold this qualification.²

44. Almost all respondents agreed with the proposals, with many respondents in services where all staff held a first aid qualification. Many respondents commented that it is beneficial for all teaching staff to have a first aid qualification.
45. Therefore, we recommend that the regulations be amended to require that the person responsible in teacher-led centre-based services must hold a current first aid qualification gained from a New Zealand Qualifications Authority (NZQA) accredited first aid training provider. The person responsible would be included in the current 1:25 ratio for first aid qualification requirements.
46. First aid courses usually cost between \$150 and \$300 per person and must be renewed every two years. Given the cost of training additional staff, we do not recommend regulating for all teaching staff to hold a current first aid qualification.

Clarify the expectation of the person responsible role in hospital-based services

47. The proposals for clarifying the person responsible role in hospital-based services were well supported. Therefore, we consider it sufficient to align the supervision component of this proposal with our recommended action for clarifying the person responsible role in centres. This clarifies that the person responsible must supervise children, staff and adults across the service at all times, even when they are located in different spaces. This reflects the reality that at any one time, children in hospital-based services are likely to be based in different areas – for example, a separate room in a ward or the activity room.

Proposals only applying to home-based services

48. The proposed changes for the person responsible role in home-based services were generally well supported. Most of the concerns were surrounding limiting the person responsible to a single licence of a service and requiring them to be locally based, which some consider may be too onerous as the persons responsible are not typically present in the homes where education and care takes place. Due to these considerations and our further analysis, we have made some significant changes to the following two proposals concerning limiting the person responsible to a single licence and require them to be locally based. This was done to ensure a level of flexibility, due to the nature of the sector, as well as clear articulation of the outcomes that we want the person responsible to achieve.

Limiting person responsible to a single licence of a service

49. Under the Regulations, the supervisory function for the home-based person responsible can be unclear, as they are not ordinarily in the home and the Regulations do not specify if they should provide supervision in relation to a particular area or location. As a result, some services can adopt a narrow understanding of what is required from the person responsible, which includes travelling extensively to visit educators. This may reduce the

¹Noting that prior to April 2021 the requirement was that one adult with a current first aid qualification must be present for every 50 children present in a centre.

² HS25 First aid qualifications, Licensing criteria for centres.

time the person responsible has to support and work with educators and does not allow the person responsible to build relationships with the educators to provide professional leadership and support to them.

50. Our proposal in the consultation was to limit the person responsible to a single licence. This was intended to further clarify the supervisory nature of the role and enable the person responsible to build relationships with the educators in the licence. We also proposed to increase licence size from 80 to 100 children to provide some scope for services to expand, since restrictions on what licences the person responsible can work on may reduce their flexibility.
51. Although the majority of respondents agreed with this proposal, it had the least support of all of the home-based person responsible proposals (only 56% agreed). Many respondents expressed concern that it would be inflexible, overly burdensome and discourage the person responsible from taking leave.
52. We agree that restricting the person responsible to a single licence could become unduly restrictive, especially when around 40% in the sector work part-time and may need to fill in for others who are absent. Therefore, we recommend amending this proposal to allow the home-based person responsible to work across two licences of a service within each calendar month, but only one licence at any one time. This would create some flexibility for the person responsible to cover the absence of another person responsible, while ensuring the new standard can be effectively monitored. It would also make it simpler to evidence that the services are meeting the 1:50 person responsible to children ratio at all times.
53. This new requirement will go some way towards ensuring the person responsible is better able to build relationships with a consistent group of educators. However, it is possible that in larger licences the person responsible may still be rostered to visit a range of educators each month based on availability and absences. This may be limited by the following proposal, which requires the person responsible to be locally based.
54. We also recommend progressing the proposal to increase licence size from 80 to 100 children. This would also address inconsistency between the 1:50 person responsible to child ratio and the current maximum licence size of 80 children³.

Person responsible to be locally based

55. We consulted on a proposal to require the person responsible in home-based services to be 'locally based' to ensure they can perform their supervision and oversight functions effectively. Most respondents agreed that the person responsible should be locally based (77%). Of the two options given, 63% preferred a definition of 'locally based' that used a reasonable travel time (i.e., being under four hours) rather than a geographic boundary.
56. Upon further analysis, we do not consider that a definition of 'locally based' that relies solely on a reasonable travel time (or a geographic boundary) will achieve the outcomes we want from this proposal. Reasonable travel time is subjective and can vary significantly depending on the condition of the road, traffic and speed and mode of travel. What is considered a reasonable travel time in a rural location would not be considered

³ The inconsistency was introduced when home-based services' 80-child maximum licence size was carried over from the Education (Home-Based Care) Order 1992 to the Education (Early Childhood Services) Regulations 2008, which introduced the 1:50 person responsible to child ratio for services.

reasonable within an urban area. A number of those providing feedback on this proposal considered that four hours is too long for a person responsible to respond in person to the types of situations that require them to exercise their supervision and oversight responsibilities, and we agree.

57. Rather, we consider that a definition of locally based that focuses on clarifying the types of outcomes we want to achieve from the person responsible role in the home-based sector would be more useful. Ultimately, we want to ensure that educators and children in home-based services receive appropriate oversight and supervision from a suitably qualified person in a timely manner, which includes the person responsible being able to be there in person if and when they are needed.
58. As much as possible, we also want to ensure that any regulatory change is consistent with references to geographical locations already in the Regulations (ie, currently there is only a requirement in Regulation 3 for the contact person to 'reside locally'), and with which the sector is already familiar.
59. Therefore, we recommend changing this proposal to require that the person responsible for home-based services must be locally based, and clarifying in the Regulations that locally based means that they:
- a. either reside, or have a permanent place of business from which they carry out their daily responsibilities, in the same local area as the educator(s) for which they are responsible
 - b. are in sufficiently close proximity to the educator(s) and children for which they are responsible to be able to fulfil the obligations of their role, including but not limited to overseeing the day-to-day education and care, comfort, and health and safety of the children
 - c. are able to be contacted by the educator(s) for whom they are responsible at all times those educators are providing education and care during the operating hours of the licensed early childhood service
 - d. are able to attend in person, within a reasonable travel time for the location, if requested to do so by the educator to ensure the health and safety of children or if otherwise required in the event of an emergency,
60. The amended proposal avoids being overly prescriptive about what locally based means so that it can apply in a range of both rural and urban settings. However, we expect that the amendment, in addition to the other proposed measures outlined in this paper, will limit the practice of persons responsible travelling extensively around the country to visit educators to meet the minimum in-person requirements currently set in the regulations.
61. As this recommendation has been significantly revised since public consultation, we intend to consult the home-based sector again on this amended proposal as part of the next steps outlined below. We expect that some licence holders may oppose the recommendation as it will require them to change their practices, which could include employing additional persons responsible in some locations. However, such a change would ultimately benefit children, by ensuring that persons responsible are always readily available to visit services when needed.

Person responsible to provide professional development to educators

62. While the person responsible is currently required to provide 'professional leadership and support' to educators in the service, this function is not well defined. Without more specificity in the Regulations, it is possible that persons responsible could provide minimal professional leadership to educators, which would not support quality outcomes for educators or the children in their care.
63. Almost all respondents agreed that the quality and frequency of professional development provided to educators would impact on educational outcomes for children and many responded that their service already requires this.
64. We recommend clarifying what is meant by 'professional leadership and support' in Regulation 3 to specify that a person responsible must provide professional development to educators on a regular basis and must keep records of any such discussion.

Person responsible in home-based services to observe curriculum delivery

65. Although the Ministry's expectation is that the person responsible provides guidance and support on the curriculum delivery in the home, there are currently no requirements for the person responsible to do so. The Regulations require the person responsible to observe each child receiving education and care, but there is no specific purpose attached to this requirement.
66. Almost all respondents agreed that the person responsible should be responsible for observing and supporting the educator with curriculum delivery. Many respondents also commented that their service already requires this from the person responsible.
67. On this basis, we recommend requiring that in addition to observing each child in the home, the person responsible must take all reasonable steps to observe, support and provide guidance on the curriculum delivery in the home during their visits, and must keep records of these activities.

Next steps

68. If you agree, we will prepare a draft paper to seek Cabinet approval to issue drafting instructions for regulations to strengthen the person responsible role as discussed above, as well as to publicly consult on the draft regulations.
69. We propose to progress these regulatory changes along with the proposals to regulate for 80% qualified teachers [METIS 1281266 refers]. A general timeline is below.

Date	Activity
June 2022	Cabinet paper seeking agreement to issue drafting instructions and to publicly consult on draft regulations
June – August 2022	Drafting of amendments to Regulations and consultation document
September – November 2022	Public consultation on draft regulations. Note: members of the Early Childhood Advisory Committee and the Sector Advisory Group will be informed in advance.
December – February 2023	Analysis of submissions and redrafting the amendments to the Regulations

April – May 2023	Cabinet paper seeking agreement to any changes to the regulatory amendments
June – July 2023	Commencement of new regulations

Proactive Release

70. It is recommended that this Education Report is proactively released after public consultation on draft regulations starts, with any information which may need to be withheld being done in line with the provisions of the Official Information Act 1982.

Proactively Released