

Early Learning Regulatory Review Advisory Group ECE Network Management

29 September 2022



Agenda

- Karakia, welcome and introductions
- Network management regulations
- Project implementation overview
- Statement – walk through, explanation, feedback
- Assessment – criteria definitions, process description, appeals, feedback
- Application – requirements, process description, feedback
- Other misc. operational items – discuss and feedback
- Timeline and open discussion
- Next steps
- Next meeting



Network management regulations

- The regulations give effect to the policy decisions made by Government following public consultation on final policy settings earlier this year
- Throughout the drafting process there has been a focus on making them as clear and accessible as possible
- Regulations currently being considered by Government
- Subject to Government decisions, we expect regulations to be gazetted and publicly available on **6 October 2022**
- We'll be letting the sector know through the Early Learning Bulletin and updating our websites
- We'll notify you and ECAC ahead of the Early Learning Bulletin being published as usual



Project implementation overview

- Finalising operational requirements and on track to have new system live on 1 February 2023
- Also on track to have detailed information available to the sector by November
- Now looking for sector feedback on the operational processes we're developing

Draft Statement



- The draft statement has been seen by the Minister and we now want to discuss it with you
- The draft statement outlines:
 - the Government's priorities for the network
 - the data and how it will be used in assessing applications
 - how the Minister will assess other considerations
- We have tailored our approach to operational realities and will gazette a national statement around the end of October.
- Data will be provided in three ways:
 1. high-level national and regional data for the 10 education regions in the Statement,
 2. a series of data sheets that offer a statistical overview of the regions and their locations (presenting the same data as in the Statement but at a different level), and
 3. a collection of links on our website that signpost other data sources at lower statistical unit levels.
- Approach to data will evolve over time, becoming more sophisticated as we learn more.

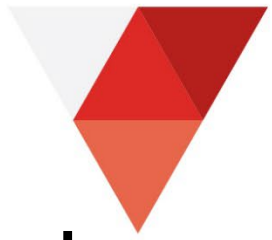


Assessment overview

The Minister will consider 7 things in making an assessment:

- **Attributes of the area** - does the proposed service identify and meet a need in the area it will serve?
- **Alignment with the Statement** - does the application reflect the Statement? Does the proposed service meet a priority?
- **Applicant suitability** - Are the people governing the proposed service fit to do so? (Includes the Secretary's assessment of fit and proper)
- **Applicant's financial position** - How is the applicant placed financially to deliver the service? (Includes the Secretary's assessment of financial viability)
- **Licensing history** – Has regulatory action been taken against any service an applicant has been involved with?
- **Capability** – Does the applicant have the governance capability to deliver the proposed service?
- **Any other relevant matters**

What you'll need to provide – Fit and proper example



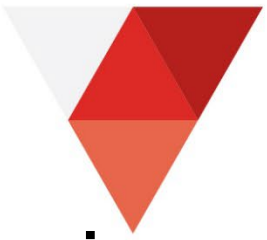
Individuals are fit and proper persons to govern a licensed early childhood service

- An individual who is an applicant or who is involved in the governance of the proposed service must be a fit and proper person to be granted approval.

What you will need to provide in your application

- Each individual **must** provide:
 - A recent police vet obtained for the purposes of network approval
 - A statutory declaration covering the matters in the Education and Training Act
 - A list of all services you have been involved with
- Each individual will have the opportunity to supply:
 - Any explanation or discussion of anything contained in the police vet, statutory declaration or list of services you have supplied

What you'll need to provide – Capability example



Applicants have the capability to deliver the proposed early childhood service

- Applicants will need to show they have the capability to effectively establish and provide the proposed early childhood service.

What you will need to provide in your application

DRAFT

- You must provide credible and reliable information about your current governance skills, qualifications and experience
 - Details and evidence provided should reflect all aspects of establishing and providing a high-quality early childhood service.
 - This is likely to include a narrative about how you will provide the service as well as any relevant evidence
 - For example, you could provide details and evidence of governance members':
 - relevant qualifications or experience in education or business management or governance
 - experience working in, managing or governing early childhood services
 - connections and engagement with the local community
 - knowledge of te reo Māori, te Tiriti o Waitangi and te ao Māori.
 - any other information you think is relevant



Application process

- Reasonably standard application process – new online form
- Prior to starting the application, applicants should understand application requirements and gather documentation.
- About the application process:
 1. need to login to the system
 2. combination of answering set questions and uploading documents
 3. can save the application and return to complete
 4. The fee must be paid before the application is considered complete
- Required documentation will reflect assessment criteria
- Support will be available – guidance through the form, on website and via local offices

Draft application form



Application for network approval

Complete this form to apply for network approval.
Sample text: guidance on how long application to remain only plus retention/destroy policy

Applicant agreement to Privacy Statement

Lorem Ipsum is simply dummy text of the printing and typesetting industry. Lorem Ipsum has been the industry's standard dummy text ever since the 1500s, when an unknown printer took a galley of type and scrambled it to make a type specimen book. It has survived not only five centuries, but also the leap into electronic typesetting, remaining essentially unchanged. It was popularised in the 1960s with the release of Letraset sheets containing Lorem Ipsum passages, and more recently with desktop publishing software like Aldus PageMaker including versions of Lorem Ipsum.

☒ I Agree

Authorisation to apply

I confirm that I am either the applicant that is an individual applying for network approval or I am authorised to make this application on behalf of the applicant which is an entity. If the applicant is an entity I declare that the governing body has endorsed this application and the information I am providing has been agreed to by this governing body.

☒ I Confirm

* Please enter your name as confirmation

A person

* I agree that I am

☐ the applicant (an individual)

☒ authorised on behalf of the applicant (a group)

Steps

- Application for network approval
- Information about the applicant
- Licencing History
-
-
-

Save for later

Next

Draft application form



Add any governing members

Governing Members

Governing Members

* Name (as appears on ID)

Police Vet

Upload Files

Or drop files

Statutory Declaration

Upload Files

Or drop files

Cancel

Save

Steps

- ✓ Application for network approval
- ✓ Information about the applicant
- ✓ Licencing History
- Add any governing members
- Summary
- Thank you

Save for later

Previous

Next



Options if an application is declined

- If the Secretary of Education intends to issue an adverse assessment on the criteria of 'Fit and Proper' or 'Financial Viability', the applicant will be given an opportunity to respond before the assessment is finalised. If it is finalised, they can appeal through the District Court.
- If the Minister declines an application, the pathway for challenging this decision is through judicial review proceedings.

Other bits



Notices of approval

The Notices of approval we issue will include:

- Details about governance members
- Details about the approved service
- Any conditions that have been applied
- Deadline for applying for a licence

Publication of approved and revoked applications

- All approved applications will be listed on Ministry website. Revoked applications also listed.
- Applications in train will not be listed.



What else are we still working on ...

We're still working on:

- Conditions on approvals:
 - Applying
 - After approval
- Revocations
- If something changes about your application or approval.



Indicative timeframes

October 2022

- Statements gazetted

From 1 November 2022

- Information about application and assessment process available online
- Support the sector to prepare, through until 1 February (including online hui)

1 February 2023

- Applications open (can't apply beforehand)

Post 1 February 2023

- Ongoing enhancements
- Statements updated periodically

Next steps

- Send further feedback by Wednesday 5th October to Earlylearning.Regulatoryreview@education.govt.nz
- Next meeting scheduled for 28th October, where we'll:
 1. show the near final processes
 2. discuss the future role of the group as the Regulatory Review progresses



We **shape** an **education** system that delivers
equitable and **excellent outcomes**

He mea **tārai** e mātou te **mātauranga**
kia **rangatira** ai, kia **mana taurite** ai ōna **huanga**