



15 March 2021



Tēnā koe [REDACTED]

Thank you for your email of 23 February 2021 to the Ministry of Education requesting the following information:

1. Please provide me with a copy of the Ministry of Education's response to [REDACTED] 9(2)(a) on the [REDACTED] 9(2)(a) submission relating to removing the Person Responsible requirement.

Your request has been considered under the Official Information Act 1982 (the Act).

Our response to [REDACTED] 9(2)(a) submission relating to the removal of the Person Responsible requirement is attached as **Appendix A**.

Thank you again for your email. You have the right to ask an Ombudsman to review this decision. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Nāku noa, nā



Dr Andrea Schöllmann
Deputy Secretary
Education System Policy

9(2)(a)

Dear 9(2)(a)

I am writing regarding your request at the most recent Early Childhood Advisory Committee (ECAC) meeting for a formal response to the 9(2)(a) proposal to remove the current person responsible requirement and replace it with a responsibility shared across all adults in a service.

The Ministry of Education considered 9(2)(a) proposal during consultation on proposed changes to the person responsible requirement in teacher-led centres in late 2019. We provided advice on the proposal to the Minister at that time. This advice has been publicly released, and you can read it at <https://www.education.govt.nz/assets/Uploads/4-1210261-ER-Hipkins-Redacted.pdf>. Our advice was not to pursue this change as it could dilute the intent of the person responsible requirement.

Replacing the current requirement with a shared responsibility in the Licensing Criteria would also mean that teacher-led centres could operate for periods of time with no qualified teachers in contact with children. This does not align with action 3.1 of the Early Learning Action Plan, which recommends regulating for 80 percent qualified teachers, leading to 100 percent in the long term, with at least one qualified teacher present where children are grouped in separate spaces.

Currently, any early childhood or primary qualified teacher holding a practising certificate can be a person responsible in teacher-led centres, provided they are nominated for the purpose by their service provider. The service provider can then roster eligible staff on and off the role as they see fit. This requirement ensures there will always be a qualified and certificated teacher present while children are attending.

The Ministry is open to new ideas proposed by the sector as part of the regulatory review, including possible changes to the person responsible requirement. There will continue to be opportunities to provide comments and feedback throughout the review.

I look forward to working with you on early learning matters in 2021.

Yours sincerely



John Brooker
Group Manager
Education System Policy