



13 September 2022



Tēnā koe 

Thank you for your email of 25 August 2022 to the Ministry of Education requesting the following information:

1. *The licence history of 46389 Milky Way Childcare, Grafton, Auckland. Specifically:*
 - a. *The dates and licences held.*
 - b. *Details of each complaint made against the centre from Jan 2018.*
 - c. *Copies of all Health and Safety Notifications of Incident from Jan 2018*
 - d. *Reasons for closure.*
2. *The licence history of 46621 Chrysalis Early Learning, Avondale Auckland. Specifically:*
 - a. *dates and licences held*
 - b. *A copy of the complaints made concerning*
 - *14/6/2018 the quality of food served at the Centre.*
 - *31/10/2019 the use of digital technology.*
 - *20/11/2019 Child Leaving Premises*
 - c. *A copy of each of the complaints made against the centre in 2020, 2021, and 2022.*
 - d. *Copies of all Health and Safety Notifications of Incident from Jan 2018 to 25 Aug 2022*
 - e. *A copy of the LSM work flow record and EC/3C Licensing Assessment for the 2019 Child Leaving Premises.*
 - f. *A copy of the LSM work flow record and EC/3C Licensing Assessment for the use of digital technology complaint.*

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

In response to parts 1a and 1d of your request, the licence history and reason for closure for Milky Way Childcare is as follows:

Date	Licence status
24 March 2014	Probationary licence for 20 children including up to 5 children under 2
9 May 2014	Probationary licence for 27 children including up to 7 children under 2
22 March 2015	Full licence for 27 children including up to 7 children under 2
1 July 2019	Licence cancelled – owner notified Ministry of closure of service

OIA: 1294490

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There have been no complaints to the Ministry made about Milky Way Childcare, nor any Health and Safety Notifications of Incident since January 2018. I am refusing parts 1b and 1c of your request under section 18(e) of the Act, as the document alleged to contain the information requested does not exist.

The information requested in parts 2a to 2d of your request regarding Chrysalis Early Learning is provided below as **Appendix A**. Some information has been withheld under section 9(2)(a) of the Act, to protect the privacy of natural persons.

There are no LSM workflow records or EC/3C Licensing Assessments for the complaints, as these were handled through the complaints process (details included in Appendix A). I am therefore refusing parts 2e and 2f of your request under section 18(e) of the Act, as the document alleged to contain the information requested does not exist.

Please note, the Ministry now proactively publishes official information responses on our website. As such, we may publish this response on our website after five working days. Your name and contact details will be removed.

Thank you again for your email. You have the right to ask an Ombudsman to review my decision on your request, in accordance with section 28 of the Act. You can do this by writing to info@ombudsman.parliament.nz or to Office of the Ombudsman, PO Box 10152, Wellington 6143.

Nāku noa, nā



Isabel Evans
Hautū | Deputy Secretary
Te Mahau | Te Tai Raro (North)

Appendix A – Chrysalis Early Learning Centre

Date of licensing visit	Reason for visit	Proposed actions	Outcome /Summary
2015	Probationary licence visit		
26/1/2016	Probationary to full licence assessment		<p>Chrysalis Early Learning Centre was visited on Thursday 15 January for the probationary to full assessment. I am recommending this service moves to a full license.</p> <p>The owners Darius and Nikeeta are experienced and competent service providers. They have developed strong robust systems to ensure the large centre is providing quality care and education for children. I have emailed to obtain updated versions of HS27, HS7, PF3 (Building WOF).</p>
4/6/2018	<p>Phone call received 14 May 2018. The complainant is concerned about the quality of food served at the Centre, especially in the babies room. Food served are mostly bread, dry Cruskits with a little bit of fruit and mostly toasted sandwiches for lunch. No pureed food served for 8-month-old babies. The complainant has already spoken to the Manager regarding her concern, but no change has happened. She is concerned about the quality that children are getting.</p>	<p>The Service Provider will be contacted to inform her of the complaint. The following documentation will be requested:</p> <ul style="list-style-type: none"> • Food Policy (if any) • Bottle feeding Policy • Record of food Served from 15 April to 15 May in the babies room and preschool room to verify variety of food served at the service • Schedule/time food served. <p>Based on the documentation provided, an unannounced visit might be necessary around lunch time to capture what is actually served during meal time/service has done all measures to serve appropriate food to the children.</p> <p>MOE visited Service to Investigate.</p>	<p>Required documentation from the service relating to the complaint and reviewed documents provided. The service has since reviewed their menu upon Centre Manager's discussion with a reliever with regard to her concerns of the food served for the babies. Visited the service unannounced to check if the Menu list that they provided was the same one as the food served for the centre and confirmed that it is.</p>

Date of licensing visit	Reason for visit	Proposed actions	Outcome /Summary
31/10/2019	<p>Phone call complaint received from parent on August 19 . concern about the amount of screen time at the service. Her child has been attending since she was 15 months and is now 4. Parent has noticed that when it rains her daughter frequently comes home and shares she has watched different movies. On one day the parent arrived to pick up and a movie was playing - when she queried the purpose of this with the teacher she felt she was belittled with the teacher stating the movie helped the children to calm down. Parent concerned that there are few educational benefits to long periods of screen time and also concerned if teachers are using this to manage children's behaviours rather than teaching. Parent reports there has never been any communication to families regarding the use of screen time - if she had known this was regular practice she would not have placed her child there. She is currently waiting for a place at a different service to be confirmed. (The parent previously complained about incorrect fees being charged and feels this issue was resolved, however does not want to officially complain to the service again).Propose to visit service to observe use of digital technologies throughout the centre. During visit, request copies of service's:</p> <ul style="list-style-type: none"> • Policy related to use of digital technology • Any communication to parents regarding use of digital technology. • Daily routine for each room. 	<p>Propose to visit service to observe use of digital technologies throughout the centre. During visit, request copies of service's</p> <ul style="list-style-type: none"> • Policy related to use of digital technology • Any communication to parents regarding use of digital technology • Daily routine for each room <p>No screen time observed during visit. Clear policies in place to guide practice. Guidance offered to strengthen communication with families regarding screen-time and ensure review of practice over time.</p>	<p>Unannounced visit to service. met with [redacted], Centre Manager. Shared overview of complaint with [redacted], was unaware of a concern having been raised within the centre. Requested copies of related documentation. [Redacted] also walked us through the centre. During walk through, no use of digital technologies observed, however tablets sighted in each room and projector screens available within the two older children's rooms. [Redacted] explained that tablets were primarily used for teachers to take photos but might also be used occasionally to support the programme and gave example of recent project on germination. She also conceded that on the occasional instance in rainy weather a short movie might be played.</p> <p>4.11.19 Centre Manager emailed requested documentation. Phone call to complainant to give assurance that concern had been followed up. Parent has moved her child to a different service.</p>

Date of licensing visit	Reason for visit	Proposed actions	Outcome /Summary
20/11/2019	Child Leaving Premises Health and Safety Notification of Incident	<p>Centre Manager [redacted] called to seek advice as to whether an incident that occurred at the centre this week needed to be notified to MoE. Child managed to get over the playground fence and onto the car park. Children who had witnessed immediately told a teacher who collected the child and brought him back in. Service has investigated and addressed with the team and also notified parents. Process and outcomes have been documented.</p> <p>Advised to make official notification – emailed notification template and guidance related to HS34 (see attached). Awaiting notification and related documentation to be emailed. The service has addressed the incident in line with their own policies and procedures. They have also mitigated the risks identified by Senior Advisers along the fence line.</p>	<p>Documents received showed that the service have addressed the incident and have followed their own policies and procedures. However, when considering photos of the fence line submitted, decision taken to visit the service to assess on-site.</p> <p>Visit undertaken 20.11.19. Request to mitigate the fence line in two areas - one where the incident occurred and a fixed rock is reducing the fence height below requirement. The other where there is a gap below the fence that could become wide enough for a child to crawl under.</p> <p>5.12.19 Email received from service confirming that harakeke have been planted along the fence line in the areas identified, to mitigate the concerns.</p>
10/6/2020	Employment Practices Management and Administration	<p>Anonymous complaint received . Complainant was concerned about the COVID19 subsidy and the pay the teachers received over the lockdown period. Inform the service about the complaint received by Ministry. The nature of the complaint was about employment, wage and wage subsidy, which the Ministry of Labour or MSD can action.</p>	<p>SP [service provider] was spoken to about the concerns of his staff. It was explained that this is actually an employment issue and Ministry will just pass the information to him. However, the SP took a proactive stand by sharing all the information he gathered after consulting with other agencies. Ministry still recommended that these information be shared with the staff for them to fully understand his intention and action.</p>

Date of licensing visit	Reason for visit	Proposed actions	Outcome /Summary
28/7/2020	Health & Safety Premises & Facilities	<p>When a parent was collecting her child, she noticed that a child has escaped the premise. Another parent brought the child in, after finding the child in the carpark wandering about. Because this incident has happened in the past, specifically on Nov 2019, service will be requested to review their premises and facilities and supervision, particularly the front area.</p> <p>Policies to request: supervision plan, incident, accident, illness policy, reporting template to specified agencies/Ministry.</p>	<p>Service was visited on 28 July 2020. Spoke with the SP and requested documentations and possible mitigations.</p> <p>Action plans were provided to Ministry – which includes, installing a gate in the rooms, manning the reception area by the Centre Manager and non-contact person, door handles to be changed, self-review on supervision was initiated.</p> <p>Gates were installed in the rooms.</p>
27/7/2022	Health and Safety	<p>Child had a seizure while sitting on the mat. Teachers immediately administered first aid, alerted the Centre Manager who called emergency services and the parents. Child was assessed by St Johns personnel and advised the parents to take the child onto the hospital.</p>	<p>Acknowledged the notification sent to MOE from the Centre Manager. Followed up with the service to confirm child was recovering and the staff members involved were doing okay following the incident.</p> <p>Centre Manager has followed all correct policies and procedures in relation to the child's incident. No further action is required.</p>