

Before completing this form, contact your local Ministry office so we can explain what the application process involves.

This application must be completed by an applicant from the service provider ie, someone who is involved in the management of the service provider.

This application is for a new home-based licence under the *Education (Early Childhood Services) Regulations 2008*.

A licence for a new home-based service will incur a fee of \$2,817.50 inclusive of GST. This fee, payable to the Ministry, is to consider your application and is non-refundable.

A home-based service in section 309 of the Education Act 1989 is defined as:

(a) *The provision of education or care, for gain or reward, to children who are under the age of 5 years, or who are 5 years of age but not enrolled in school, in—*

- (i) *the children’s own home; or*
- (ii) *the home of the person providing the education or care; or*
- (iii) *any other home nominated by the parents of the children; and*

(b) *includes the provision of education or care to any child of the person providing the service who is—*

- (i) *under the age of 5 years; or*
- (ii) *5 years of age but not enrolled in school*

Section 317A of the Education Act 1989 details the requirements for licensed home-based education and care services as:

(a) *While children are participating in the service, the total number of children present in the home in which the service is provided (including those receiving the service) must not be more than 6.*

(b) *children means children aged 13 years or younger (other than children of the educator who are enrolled in school)*

Only home-based services that meet all of the above may submit an application for a licence.

1. Service Provider Details

Provide details of the legal status, address and contact information for the service provider.

Service Provider Name

This is the name of the body, agency or person who or that arranges, or offers to arrange, that education and care.

Unique Number (if known)

The unique service provider number as issued by the Ministry – if available.

New Zealand Business Number (NZBN)

The Companies Office administers the NZBN register which is responsible for the allocation of the NZBN for New Zealand businesses.

9	4													
---	---	--	--	--	--	--	--	--	--	--	--	--	--	--

*If you do not have a NZBN enter **N/A**, or
If you are not sure if you have a NZBN look it up using your organisation’s name at www.nzbn.govt.nz or
If you do not know your NZBN enter ‘?’
Note that if your organisation is an incorporated society, a trust board or a company then you will likely have a NZBN.*

Ownership Type

Tick one only

Sole Trader Company Partnership

Owned by an Incorporated Society

An Incorporated Society (under the Incorporated Societies Act)

Owned by a Trust

Charitable Trust (under the Charitable Trusts Act) Statutory Trust (e.g. a trust under the Anglican Church Trusts Act 1981) Private Trust (includes trusts declared to be charitable for tax purposes)

Owned by a Community Organisation

Government Department State Owned Enterprise City Council

Health Board Community Trust Public Education Institution (e.g. polytechnic, college of education, university, wananga)

Other (specify) _____

Service Provider Address

These addresses relate to the service provider's place of business.

Street Address

Suburb / District	
Town / City	Postcode
Phone Number ()	Fax Number ()
Email	<input type="radio"/> Tick if this email can be made publicly available.
Website http://	

If different from Street Address

Postal Address

Suburb / District	
Town / City	Postcode
Special Delivery Instructions	

Applicant Contact Details

A contact person must be listed for the purposes of this application. This person must be from the service provider and is the person who must complete this application, including the Application Declaration in section 7 and the Statutory Declaration in Section 8.

In some cases, this person will also be named as the service provider contact person in section 2. If this is the case, write service provider contact person here. You do not need to provide this information again.

Title (Mr, Mrs, Ms, Dr, etc)	First Name
Middle Names	Family Name
Phone Number ()	Fax Number ()
Mobile Number ()	
Email	<input type="radio"/> Tick if this email can be made publicly available.

Funding Contact Details <i>This person will receive financial forms (eg RS7) from the Ministry of Education and be the contact for funding matters.</i> <i>If this person is the same as the person listed in "Applicant Contact Details" or the "Service Provider Contact Person Details", write this here. You do not need to provide the information again.</i>	Title (Mr, Mrs, Ms, Dr, etc)	First Name
	Middle Names	Family Name
	Phone Number ()	Fax Number ()
	Mobile Number ()	
	Email	<input type="radio"/> Tick if this email can be made publicly available.

2. Service Details

These are details of the service for which the application is being made.

Service Name	<input type="text"/>	
Service Number <i>The unique service number as issued by the Ministry – if available.</i>	<input type="text"/>	
Service Provider Contact Person Details <i>This is the person nominated by the service provider to represent its management and whose name will appear on the certificate of licence.</i> <i>This person must reside locally. See section 10, note 1, for more information about the service provider contact person requirements, including what is meant by reside locally.</i>	Title (Mr, Mrs, Ms, Dr, etc)	First Name
	Middle Names	Family Name
	Address	
	<input type="text"/>	
	Suburb / District	
	Town / City	Postcode
	Special Delivery Instructions	
	Phone Number ()	Fax Number ()
	Mobile Number ()	
	Email	<input type="radio"/> Tick if this email can be made publicly available.

As the proposed service provider contact person, I confirm that I meet and will continue to meet the requirements of a service provider contact person as detailed in in Section 10, note 1.

Signature

3. Nomination of Emergency Contact

This is the person that the Ministry will contact in an emergency.

Emergency Contact Person

Title (Mr, Mrs, Ms, Dr, etc)	First Name
Family Name	
Phone Number ()	Mobile Number ()
Email	<input type="checkbox"/> Tick if this email can be made publicly available.

4. Operating Details

The operating details provided below will inform the conditions under which the service will be authorised to operate, and which will be listed on the certificate of licence.

	Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Sunday	
Times	Start	End	Start	End	Start	End	Start	End	Start	End	Start	End	Start	End
Max no of places														
Under two years														

Note:

The person responsible requirements must be met over the hours of operation whenever children are in attendance.

5. Early Learning Information (ELI) System

ELI Email

This is the email address that the Ministry of Education will use to contact the service for ELI related matters.

Email

Yes / No
Circle

As the service provider, I am aware of the Early Learning Information (ELI) System and the information requirements.

Yes / No
Circle

As the service provider, I have selected a method to connect to the Early Learning Information (ELI) System.

If 'Yes'

- ELI Web, or
 Student Management System. Indicate SMS below.

6. He Pānui Kōhungahunga – the Early Learning Bulletin

The Ministry publishes a monthly bulletin which is emailed to all service providers. The bulletin is the Ministry's way of communicating important information, changes and events happening in the early learning community.

Ensure that you read and engage with information in the bulletin to stay up to date and remain compliant.

If you would like the bulletin emailed to others within the service, write the email addresses here:

--

7. Application declaration

To be completed by the applicant.

I am applying under the Education (Early Childhood services) Regulations 2008 for a new home-based licence.

I confirm that to the best of my knowledge the information contained in this application is correct and accurate.

Applicant name	
Applicant signature	
Date	

8. Statutory Declaration by Service Provider

- This statutory declaration must be completed and signed by the applicant identified in section 1 before a person authorised under section 9 of the *Oaths and Declarations Act 1957*.
- Service providers that own or operate more than one service may wish to photocopy this part of the form once completed. This photocopy can be attached to subsequent licence applications, as long as the statutory declaration remains current and accurate.
- **For more information about the statutory declaration, see section 10, note 2.** This also tells you what you must do if any circumstance arises which might make this statutory declaration incorrect.

STATUTORY DECLARATION

TO ACCOMPANY APPLICATIONS FOR LICENCES TO OPERATE HOME-BASED SERVICES

(First Schedule, Oaths and Declarations Act 1957)

I _____ of _____
(insert name of applicant) (insert address)

acting on behalf of _____
(insert name of service provider)

("the service provider") understand that:

1. The following information is required for the purpose of enabling the Ministry of Education to determine whether members of the service provider, including the applicant, are suitable to be involved in the management of the service provider.
2. This information is required pursuant to regulations 6(3)(b) of the *Education (Early Childhood Services) Regulations 2008*.
3. I must complete this application **on behalf of myself and each member of the service provider that is involved in the management of the service provider**. See Note 2 for clarification.
4. It is an offence under Section 111 of the Crimes Act 1961 to make a false declaration where that declaration would amount to perjury if made on oath in a judicial proceeding.
5. Where I have answered in the affirmative to any statement below, I have attached all the relevant details in relation to the matter.

To complete this declaration – you must **CIRCLE** one of the options at the beginning of EACH of the following statements.

I SOLEMNLY DECLARE THAT TO THE BEST OF MY KNOWLEDGE:

I and each person who is a member of the service provider, and who is involved in the management of the service provider*

a	have / do not have	any previous convictions for any offence involving harm to children, violence, or fraud.
b	have / do not have	any history of health problems that may affect the service provider's ability to comply with— (i) any conditions of a licence that is issued; or (ii) any obligations under the regulations

c	know of / do not know of	any sum of money (other than a student loan within the meaning of section 2(1) of the <i>Student Loan Scheme Act 1992</i>) owed, or previously owed, to the Crown by— (i) each of those persons, in connection with the provision or receipt of educational services; or (ii) any body corporate in which any of those persons were involved in the management, in connection with the provision or receipt of educational services.
d	have had / have not had	any adjudication of bankruptcy under the <i>Insolvency Act 2006</i>
e	have had / have not had	any prohibition issued under any enactment on acting as a company director:
f	have had / have not had	any previous involvement in the provision of education or care services in respect of which— (i) an application for a licence under either the <i>Education (Early Childhood Services) Regulations 2008</i> , <i>Education (Early Childhood Centres) Regulations 1998</i> , or the <i>Education (Home-Based Care) Order 1992</i> has been refused; or (ii) a licence issued under any of those regulations has been suspended or cancelled.
g	can confirm / cannot confirm	that all of the educators in the service receive gain or reward for their work as an educator.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the *Oaths and Declarations Act 1957*.

Signature of Applicant _____

Declared at _____ this _____ day of _____.
(insert town or city) (insert day, e.g. 21st) (insert month and year)

Before _____ **(Signature of person taking declaration)**
(Justice of the Peace or other person authorised to take a Statutory Declaration)

_____ **(Full name of person taking declaration)**

_____ **(Capacity, eg Barrister, Justice of the Peace)**

***Service Provider** means the body, agency, or person who or that arranges, or offers to arrange, that education or care.

PRIVACY STATEMENT

The personal information collected from you in relation to this statutory declaration is required by the Ministry of Education for the purpose of assessing your licence application in accordance with the requirements set out under regulations 6 and 7 of the *Education (Early Childhood Services) Regulations 2008*. This information will not be disclosed to any other person or agency unless it is authorised or required by law.

If there is information requested on this form that you do not want to provide, discuss your concerns with an appropriate Ministry of Education officer who can explain the consequences of not providing it.

The information provided will be held by the Ministry of Education office that manages your application and you have the right under the *Privacy Act 1993* to request access to and correction of this information.

9. Documentation

The following documentation is required to be forwarded to your local office of the Ministry of Education **before your application can be considered**. Regulation numbers refer to the *Education (Early Childhood Services) Regulations 2008* unless otherwise noted.

General requirements

- 1) Certificate of Incorporation as a company, charitable trust or incorporated society if applicable.
- 2) IRD notification of charitable tax status if applicable.
- 3) Certified copies of Early Childhood qualifications of coordinators. Reg. 6 (3) (a)
- 4) Evidence of sufficient person/s responsible at the 1:50 ratio (i.e. one person responsible for every 50 children) to cover all proposed hours of operation and maximum child places. (Additional person/s responsible may be needed depending on the hours of operation to cover breaks, shifts etc). Reg. 44 (1)
- 5) Evidence that the person/s responsible will be immediately available by phone and able to attend a home in person as soon as practical based on a risk assessment of the situation (no longer than 24 hours). Reg. 44 (1)
- 6) Evidence of how educators will be proactively informed of who their person responsible is and how to contact them, in advance of children attending, including how educators will be proactively informed if their person responsible is unavailable e.g. sick or on leave. Reg. 44 (1)
- 7) A list showing the addresses of each of the premises to be used for the provision of the home-based service. Identify with an asterisk, any homes that are also being used by another service provider. Reg. 10
- 8) Confirmation that the service provider has a procedure to safety check all children's workers who have access to children in accordance with the Children's Act 2014. Criterion GMA6A
- 9) Confirmation that the service provider has a process to obtain a New Zealand police vet for every person appointed to work at the service during normal opening hours or every contractor or their employee who is likely to have unsupervised access to children during normal operating hours Education Act s319D-319E
- 10) Confirmation that the service provider has a process to obtain a New Zealand police vet for every adult (17 years or over) who lives in a home where the service is being provided, but that is not the home of every child to whom the service is being provided. Education Act S319FB
- 11) If the service provider engages a children's worker who has lived overseas, it is recommended that there is a process to obtain a copy of a police certificate from the person's country of citizenship and from any country in which they have lived for one or more years within the last ten years in addition to a New Zealand police vet.
- 12) Evidence that the service provider contact person resides locally e.g. copy of a utility bill, tenancy agreement (See Section 8, Note 1) Reg. 3

Plans, policies and procedures - provide copies of the following:

- 13) A process for providing positive guidance to encourage social competence in children. Criterion C10
- 14) A process for providing formal and informal opportunities for parents to:
 - communicate with educators and coordinators about their child, and share specific evidence of the child's learning;
 - be involved in decision-making concerning their child's learning. Criterion C12
- 15) A written emergency plan and supplies to ensure the care and safety of children and the educator at the home and when away from home. The plan must include evacuation procedures that apply in a variety of emergency situations and that are relevant to each home in the service as provided under Reg. 10. The emergency plan must also include out-of-school care children if out-of-school care is being provided in any of the homes. Criterion HS4

- 16) A written child protection policy that meets the requirements of the Children’s Act 2014. The policy contains provisions for the identification and reporting of child abuse and neglect, information about how the service will keep children safe from abuse and neglect, and how it will respond to suspected child abuse and neglect. Criterion HS28
- 17) Written information letting parents know how they can be involved in the service; any fees charged by the service; the amount and details of the expenditure of any Ministry of Education funding received by the service; about any planned reviews and consultation; a written statement about how parents will be advised if the home their child is attending will have children receiving out-of-school care and how written parental acknowledgment will be gathered. Criterion GMA2
- 18) A written statement expressing the service’s beliefs, values, and attitudes about the provision of early childhood education and care. Criterion GMA4
- 19) A copy of the enrolment form that is/will be used by the service. Criterion GMA9
- 20) A written supervision plan that ensures the good health and safety of children enrolled in the service is maintained at all times. The supervision plan must be specific to each home in the service as provided under Reg. 10, must be able to be adapted to the number, age, abilities and enrolled hours of the children attending and must show how the educator will actively supervise children attending each home in the service. Criterion HS34

Fees and Funding Forms

- 21) A completed RS3 funding form. Note: home-based services are automatically placed on standard level funding, if you wish to change to quality level funding also complete an EC11 funding form.
- 22) An application fee of \$2,817.50 inclusive of GST. (Regulation 25)
Note: This fee is to consider your application. It is **non-refundable**.

10. Information to Assist Applicants

Note 1: Nominating a Service Provider Contact Person

The Education (Early Childhood Services) Regulations 2008 require a contact person to be nominated for each service for which a licence is sought, and this person's name is displayed on the Certificate of Licence. The service provider is legally responsible for meeting regulatory requirements, not the contact person. However, the contact person must:

- represent the service provider;
- be able to respond to the Ministry of Education as soon as practicable on any issue relating to licensing;
- have the authority to act on behalf of the service provider; and
- reside locally.

In relation to the last bullet point, a person will generally be considered to 'reside locally' if they live within the geographical boundaries serviced by the local Ministry of Education office. Contact your local Ministry of Education office to discuss further if you are unsure whether the contact person would meet this requirement.

Note 2: Completing the Statutory Declaration

Who can I get to sign my statutory declaration?

- Section 9 of the Oaths and Declarations Act 1957 lists those who are authorised to take a statutory declaration.
- You will need to sign the statutory declaration in the presence of the person you have chosen.
- It is your responsibility to ensure that the person you select is authorised to witness your declaration.
- You should check that the person notes on the form, with their signature, their full name and the capacity under which they are signing the declaration, eg Justice of the Peace, barrister of the High Court.

Who does the statutory declaration have to cover?

When the **service provider is made up of a group of people**, the statutory declaration needs to cover the officers of the organisation that has identified itself as the service provider. In most cases, the deed of incorporation for the legal entity will determine this. The following table outlines the most common scenarios for service providers.

If the service provider is...	Then the statutory declaration should cover ...
An incorporated society	the office holders (such as Secretary, Treasurer and President)
A trust board	the board members
A company	the company director(s)
An individual person (whether registered as a legal entity or not)	only that person
An unincorporated body	the people that identify themselves as being part of the management body

How do I get the information I need from the people covered by the statutory declaration?

As the person signing the statutory declaration, you must satisfy yourself that the information supplied is correct. How you collect this information from the other people covered by the statutory declaration is up to you and your organisation. There is a range of ways that this might be done, including:

Information gathered through your recruitment or election processes	Personal knowledge of the person
Verbal assurances	Written attestation
Seeking police vets in relation to past convictions	Individual statutory declarations from each person covered (so that the statutory declaration to the Ministry of Education becomes a composite of individual declarations to the applicant)

How do I decide how to respond to the statements on the statutory declaration?

- You must circle one of the options at the beginning of each statement.
- If the service provider is a group of people and an affirmative answer applies to one or more people you must answer in the affirmative on the statutory declaration.
- Most of the statements are relatively straightforward – people will know whether or not they have any convictions, adjudications of bankruptcy etc.
- The main exception will be statement (b) regarding health conditions. It is important to be clear about the difference between (1) a mental/physical condition that might prevent people from managing their role in complying with the conditions of a licence or obligations under the regulations and (2) any other condition that would not have this kind of impact. Relevant factors to consider might include, for example, health problems that require frequent hospitalisation or sick leave, or that might render a person unconscious or quickly incapacitated. Frequency and severity of those conditions might also be relevant.

What will the Ministry of Education do if I answer in the affirmative (i.e. 'have', 'know of', 'have had' or 'am aware of') to any of the statements on the statutory declaration?

If you answer in the affirmative you must attach all relevant information in relation to the matter. Answering in the affirmative to any statement does not automatically exclude the service provider from being deemed fit and proper to hold a licence. Given the range of unique circumstances that may be identified, all decisions about whether or not to grant a licence are made on a case-by-case basis at the Secretary's discretion.

What will the Ministry of Education do if I answer in the negative (i.e. 'cannot confirm') in statement g on the statutory declaration?

If you answer in the negative in statement g, this excludes the service provider from holding a licence as the service provider does not meet the definition of a home-based service under the Education Act 1989.

What do I need to do if something changes – e.g. the service provider changes, or people's circumstances change that make the statutory declaration incorrect?

Regulation 35 of the Education (Early Childhood Services) Regulations 2008 requires that a service provider must notify the Ministry of Education as soon as practicable if any of the circumstances under (a) to (g) on the statutory declaration form have changed for any person who is covered by the statutory declaration. You do not need to notify the Ministry of Education every time someone new becomes part of the service provider UNLESS that person's circumstances make the information you have provided on the statutory declaration incorrect. Verbal or written advice of a change of circumstances will be accepted and a new statutory declaration will not be required.

The Ministry of Education will then review the new information and decide whether the service provider continues to be fit and proper to hold a licence. Given the range of unique circumstances that may be identified, all decisions are made on a case-by-case basis at the Secretary's discretion.