



**Te Tāhuhu o
te Mātauranga**
Ministry of Education

Modernising Early Childhood Education in Aotearoa New Zealand

**Consultation on proposed changes to the Early Childhood
and Education Care Services 2008 licensing criteria**

Discussion document June 2025

A photograph of two young children in a playroom. On the left, a boy in a blue long-sleeved shirt with a car pattern points his right index finger upwards. On the right, a girl in a white long-sleeved shirt with a rabbit graphic holds a green, spiky ball. They are standing in front of a wall covered in colorful, abstract paint splatters. A red bucket is visible at the bottom right. A decorative pattern of dark purple vertical lines of varying heights is overlaid on the bottom half of the image.

**Te Kāwanatanga
o Aotearoa**
New Zealand Government

Modernising Early Childhood Education in Aotearoa New Zealand

Consultation on proposed changes to the Early Childhood and Education Care Services
2008 licensing criteria

Discussion document June 2025

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Consultation open and close

Consultation open: 9:00AM 19 June 2025.

Consultation close: 12:00 (12:00PM) 24 July 2025.

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Individual submissions will be aggregated and analysed by Ministry of Education employees and third-party service providers. The Ministry of Education will analyse submissions to inform advice about proposed changes to licensing criteria for centre-based, home-based, and hospital-based services.

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Message from Hon David Seymour

As Associate Minister of Education, with delegated responsibility for Early Childhood Education (ECE), my goal is to ensure that children have access to high quality affordable ECE. To best achieve this, the Ministry for Regulation conducted a Review of the sector's regulations.

Cabinet endorsed 15 recommendations which modernise and simplify regulations across ECE.

By the end of 2026, ECE providers will be governed by a regulatory system which ensures regulations are focused on what matters, child safety.

A modern and simple regulatory system for providers means parents will have more safe and affordable ECE options for their children. Reducing compliance headaches and costs means services will be able to get on with what they do best – providing safe, high-quality care and education as the changes are rolled out over the coming year.

Saving providers valuable time and money will also encourage more providers into a thriving market. The effects of this will be felt in the peace of mind of parents, when they know that their children are in the hands of providers who are focused on caring for them, at a price they can afford.

New licensing criteria will be gazetted by the end of September, following the recommendation to change or merge approximately three-quarters of the licensing criteria. Consultation on what exactly this will look like is now underway.

I have directed the Ministry of Education to draft the changes to licensing criteria based on the changes initially proposed by the Ministry for Regulation in their review. This discussion document sets out the proposed changes to the licensing criteria. It also contains a survey seeking sector feedback to inform the final decisions on these changes.

I believe the revised ECE licensing criteria will provide greater certainty for ECE services so they can focus their efforts on providing safe, high-quality care and education to our young children.

I strongly encourage people who actually run, work at, and use early childhood regulation to make the most of this consultation. We want to create a regulatory system for ECE which works for those it regulates. To do that we need to hear from them.

Section 1:

About this discussion document and consultation

About this consultation

The Ministry of Education is proposing changes to the Licensing Criteria for licensed early learning services, except Kōhanga Reo.

The current consultation focuses on proposed licensing criteria changes for centre-based, home-based and hospital-based early learning services.

We'll provide the Associate Minister of Education, Hon. David Seymour, with a final set of recommendations by mid-September 2025. Updating licensing criteria is part of the larger body of work being undertaken to modernise early learning regulations.

This consultation is focused only on the early learning licensing criteria related to Premises and Facilities, Health and Safety, and Governance, Management, and Administration. This consultation will help us provide recommendations to the Associate Minister that consider your views.

We'd like to hear from the early learning sector, whānau, caregivers, and others who care about the tamariki and mokopuna of Aotearoa New Zealand. Your views and insights can help children continue to enjoy safe, accessible, and high-quality early learning services.

Kōhanga Reo

A specific set of licensing criteria is in place for Kōhanga Reo affiliated with the Kōhanga Reo National Trust Board. However, feedback from the Kōhanga Reo community is welcome as part of the current consultation.

Subject to further discussions with Te Kōhanga Reo National Trust Board, a similar process for revising Kōhanga Reo licensing criteria is likely. This would include consulting on any proposed changes to licensing criteria for Kōhanga Reo.

With submitter consent, any feedback received from Kōhanga Reo during the current consultation, will be shared as part of any future work on Kōhanga Reo licensing criteria changes.

Licensing criteria and topics of special interest

We know there is interest in the topics mentioned in the table below and we are working at pace to address these issues and will consult with you on these topics as soon as is possible.

Licensing criteria and topics of special interest		
HS27 Medical assistance and incident management	GMA10 & 11 Enrolment and attendance records	Emergency exits
<p>We acknowledge the sector has suggested allowing for more flexibility for minimum adult:child ratio requirements when immediate medical assistance is needed for a child who is seriously injured, or has become seriously ill.</p> <p>Schedule 2 of the Regulations (adult:child ratios) is not in scope for this review. We do propose a change to HS25 for centre-based services to relax the 1:25 ratio of adults who need to hold a first aid qualification to cover these situations.</p>	<p>The requirements around signatures for enrolment forms and attendance records are set in the ECE Funding Handbook. There are further considerations that need to be explored so at this stage we don't proposed consulting on fundamental changes to criteria for attendance and enrolment records.</p>	<p>Door handle heights are not prescribed in the licensing criteria, and therefore not addressed in this consultation. The Ministry is continuing to work with MBIE to understand the implications across agencies.</p>

Submitting a response: how you can help us

You can access the consultation and survey directly through the [Have Your Say](#) section of the Ministry of Education website until 12:00PM 24 July 2025.

Your feedback will inform the final decisions on these changes.

How to participate

Visit the Ministry of Education Have Your Say page to provide your feedback at education.govt.nz/have-your-say

On the Have Your Say page you will find:

- » This discussion document, which includes current licensing criteria wording, proposed licensing criteria wording, and the questions being asked as part of this consultation.
- » An online survey to input and submit your feedback and views.
- » Other supporting documentation.

You'll be able to provide as much or as little feedback as you choose when submitting your response. Simply choose to skip individual questions, or entire sections, included in the survey if you wish— it's up to you!

What we hope to achieve through consultation

We've looked at current licensing criteria and invite you to provide feedback about proposed changes through this consultation process. We want to consider views to help us inform the final decisions on these changes.

During consultation, we want to find out:

- » the impact of the proposed changes on different stakeholders
- » whether the proposed changes will support compliance with the regulations
- » whether the proposed changes will support health and safety
- » if the proposed changes to criteria are clear and easy to understand
- » whether the proposed changes will reduce the compliance burden for service providers.

This information will shape our advice for the Associate Minister and help us understand if we have struck the right balance between compliance activities and supporting children's learning, health, and safety. It'll also help determine that:

- » the intent of the regulation is met
- » criteria are clear and understandable
- » service providers do not face an unnecessary compliance burden.

Consultation open and close

Consultation will be open from 9:00AM 19 June 2025.

Consultation will close at 12:00PM on 24 July 2025.

Section 1.1

About early learning services

High quality early learning services are an important part of a well-functioning society. Early learning services also help whānau and caregivers participate in the workforce. These services support the health, learning, and personal growth of tamariki and mokopuna. These children are the future innovators and leaders who'll create a prosperous future for all of Aotearoa New Zealand.

Licensing criteria: an explanation

The government sets minimum standards that must be met for licensed early learning services. These standards are defined in the early learning regulatory framework.

There are three tiers to the regulatory framework for licensed early learning services.

1. The Education and Training Act 2020 (the Act) defines service types and empowers regulations and criteria to be developed.
2. The regulations, as set out in the Education (Early Childhood Services) Regulations 2008 (the primary regulations), establish the licensing process and set the minimum standards that all services must follow.
3. The licensing criteria are used to assess compliance with minimum standards set out in the regulations.

Types of licences for licensed services

There are three licence types for licensed services:

- » probationary licences,
- » full licences, and
- » temporary relocation licences.

Probationary licences

Every new licensed service receives a probationary licence for up to 12 months. Probationary licences are issued when the Secretary for Education is satisfied that a service complies with, or is likely to comply with, the regulated standards. This type of licence is issued because some standards can only be fairly assessed after a newly licensed service is fully operational.

Full licences

The Secretary for Education can grant a full licence if they are satisfied a service complies with all minimum standards of the Education (Early Childhood Services) Regulations 2008.

Temporary relocation licence

A temporary relocation licence can be issued if a service temporarily relocates to another location. The service and its premises must comply with:

- » relevant standards; or
- » conditions imposed by the Secretary of Education.

Section 1.2

Current enforcement tools

The Secretary for Education, since 2021, can direct a service to remedy an immediate health and safety risk without needing to reclassify a service provider's licence as "provisional" or "suspended".

This means it is now more common for written direction to be issued to bring a service provider into compliance with regulations instead of reclassifying their licence.

Provisional licence classification

The Secretary for Education may reclassify a full, or probationary, licence as "provisional" if:

- » a service does not comply with the regulations
- » a service does not comply with all the conditions subject to which its licence was issued
- » an investigation is warranted following an allegation of a service provider's non-compliance
- » the service has not complied within a reasonable time after receiving a written direction from the Secretary for Education.

Licence suspension

A service's licence can also be suspended if the Secretary for Education determines it is not in the interests of the children attending or participating in the service for the service to continue to operate. Serious non-compliance with regulations, ill-treatment of children, and services operating outside of the control of a licensed provider are all examples of how a service may not be operating in the best interests of children in its care. A suspension notice will be issued to the service provider in these instances¹.

Licence cancellation

The Secretary must cancel a service's licence if a service provider doesn't comply with conditions set out in a provisional licence or suspension notice by the times specified.

¹ Education (Early Childhood Services) Regulations 2008, [reg 30 - Suspension of licences](#).

Section 1.3

Understanding why we've proposed to change, amend, or retain criteria

On 31 March 2025, Cabinet endorsed the recommendations from the Ministry for Regulation's early learning regulatory sector review. Recommendation 9 was to "revise licensing criteria to ensure they are proportionate, effective, and support quality without overburdening providers".

Recommendation	Ministry for Regulation rationale	Applicable criteria
Remove	We do consider compliance with three of the specific criteria is either unnecessary for ECE regulation outcomes, or is covered by other regulatory requirements	PF23, PF24, HS5
Remove and put in guidance materials	We consider 18 specific criteria are related to quality above the minimum standards	C3, C4, C5, C6, C7, C8, C9, C10, C11, C12, C13, PF 10, GMA4, GMA5, GMA6, GMA7, GMA8, GMA9
Merge with other related licensing criteria	We consider 11 criteria on topics where it would be more appropriate to merge into a single criterion to reduce unnecessary duplication	PF2, PF15, PF20, PF21, PF22, HS6, HS11, HS15, HS20, GMA3, GMA11
Amend licensing criteria	We consider there are 40 criteria that could be amended to make them easier to understand and comply with and reduce unnecessary burdens	PF1, PF4, PF9, PF12, PF13, PF14, PF16, PF18, PF19, PF28, PF29, PF30, PF31, PF32, PF34, PF35, PF36, PF37, PF38, HS1, HS2, HS8, HS9, HS10, HS14, HS16, HS17, HS21, HS22, HS24, HS26, HS27, HS28, HS29, HS31, HS34, GMA1, GMA2, GMA10
Retain	There are 26 specific criteria that we consider should be retained without changes	C1, C2, PF3, PF5, PF6, PF7, PF8, PF11, PF17, PF25, PF26, PF27, HS3, HS4, HS7, HS12, HS13, HS18, HS19, HS23, HS25, HS30, HS32, HS33, GMA7A, GMA12

As shown in the table above, recommendation 9 included proposed changes to specific licensing criteria for centre-based services. The Ministry for Regulation noted that the Ministry of Education may wish to review these proposed changes further.

You can read the Ministry for Regulation's full review here: www.regulation.govt.nz/regulatory-reviews/early-childhood-education-ece-regulatory-sector-review/

We have conducted a review of licensing criteria for centre-based, home-based, and hospital-based licensing criteria including recommendations made in the Ministry for Regulation's Early Childhood Education Regulatory Review. We worked with other relevant agencies to check whether there was good reason not to pursue specific actions; for example, if a suggested change was likely to increase health and safety risks.

Changes that differ from Ministry for Regulation's recommendations

We have noted in the discussion document where our proposed changes differ from the Ministry for Regulation's recommendations, and where we have made proposals linked to [Towards a stronger safety net to prevent abuse of children \(the 2024 Poutasi Report\)](#), and why.

While these are not recommendations provided by the Ministry for Regulation, these proposed changes are focused on child protection. We feel it prudent to address them as part of the changes on which we're now consulting.

More thorough background information may be read in [Addendum 1](#) of this document.

Scope of the proposed changes

The proposed changes for consultation only focus on three standards of licensing criteria:

- » health and safety,
- » premises and facilities, and
- » governance, management, and administration.

Process for changing licensing criteria

The Education (Early Childhood Services) Regulations 2008 state that licensing criteria can only change after consulting with organisations that appear to be substantially affected by the regulations. You can read more about the primary regulations in [Addendum 1: Background information](#).

Before making any change to individual criteria we try to identify an opportunity for improvement or problem (or perceived problem), and assess whether a change:

- » still meets the intent of corresponding regulation;
- » is clear and can be understood;
- » doesn't put an unnecessary compliance burden on services; and
- » can be used to assess compliance with the regulation and enable the Ministry to address non-compliance.

Questions in the discussion document clarify what is meant by each of the bullet points above.

Providing feedback

We have included some questions in the discussion document as potential prompts for consultation feedback.

The consultation survey will ask you how much you agree or disagree with a set of statements about proposed changes.

You will have an opportunity to provide open comments after each section (health and safety; premises and facilities; and governance, management, and administration).

You will also have an opportunity to provide open comments at the end of the survey.

Centre-based licensing criteria

If you'd like to go directly to our proposed changes to centre-based licensing criteria, you can skip to [Section 2](#).

Home-based licensing criteria

If you'd like to go directly to our proposed changes to home-based licensing criteria, you can skip to [Section 3](#).

Hospital-based licensing criteria

If you'd like to go directly to our proposed changes to hospital-based licensing criteria, you can skip to [Section 4](#).

Section 2

Proposed changes to centre-based early learning services licensing criteria

You may notice several symbols in this discussion document which reflect content contained in the original licensing criteria. We describe what these symbols mean below and will include shortened descriptions alongside criteria in the discussion document.

Symbols contained in this document

Requirements	
Hash Symbol (#):	Service providers may need a report from a Public Health Unit under Regulation 55.
Sun Symbol (*):	Requirement can be outside the premises if services have adequate access to the facilities.

Adequate access in this context means that a facility:

- » can perform its function as well as if it were on the premises
- » can be used by the service whenever required
- » are close enough to the premises for easy access, considering distance and comfort
- » must be sure of the children's safety, supervision, and dignity when used by them.

Section 2.1

Summary of **proposed changes** to centre-based licensing criteria

Below you can find information about criteria that are proposed to be amended, merged, or removed. Criteria to be retained may be found in Section 2.2 below.

Licensing Criterion	Details	Proposed change	Discussion document section
Section 2.3 – Health and safety criteria			
HS1	Premises and contents are safe and hygienic	Amend	2.3.1
HS11	Storage of sleep furniture and bedding	Merge	
HS2	Laundering	Amend	2.3.2
HS5	Safe assembly areas	Merge	2.3.3
HS7	Emergency plan & Supplies	Amend	
HS6	Securing furniture	Merge	2.3.4
HS12	Hazard and risk management	Amend	
HS8	Emergency drills	Amend	2.3.5
HS9	Sleep monitoring	Amend	2.3.6
HS10 (See PF29)	Sleep furniture spacing	Merge	2.4.13
HS14	Hot water cylinder temperature	Amend	2.3.7
HS16	Animals	Amend	2.3.8
HS17	Excursions	Amend	2.3.9
HS19	Food and Nutrition	Amend	2.3.10
HS21	Availability of drinking water	Merge	
HS20 (See PF16)	Food hygiene	Merge	2.4.7
HS22	Supervision while eating	Amend	2.3.11
HS24	Room temperature	Amend	2.3.12
HS25	First Aid qualifications	Amend	2.3.13
HS28	Medicine administration	Amend	2.3.14
HS29	Medicine administration training	Amend	2.3.15
HS31	Child protection	Amend	2.3.16
HS34	Response to serious injury, illness or incidents	Amend	2.3.17

Licensing Criterion	Details	Proposed change	Discussion document section
Section 2.4 – Premises and facilities criteria			
PF1	Design and layout of premises	Amend	2.4.1
PF2	Premises support effective supervision	Merge	
PF4	Variety of equipment	Amend	2.4.2
PF9	Adult workspace	Amend	2.4.3
PF12	Lighting, ventilation, temperature and noise	Amend	2.4.4
PF13	Outdoor activity space	Amend	2.4.5
PF14	Infant toddler safe space	Amend	2.4.6
HS20	Food hygiene	Merge	2.4.7
PF16	Kitchen facilities	Amend	
PF18	Toilets	Amend	2.4.8
PF20	Toilet and handwashing facilities	Merge	
PF22	Toilet privacy	Merge	
PF19	Handwashing facilities ratio	Amend	2.4.9
PF20	Toilet and handwashing facilities	Merge	
PF21	Hand drying facilities	Merge	
PF23	Adult toilet and handwashing / drying facilities	Amend	2.4.10
PF24	Tempering valve	Remove	2.4.11
PF28	First aid kit	Amend	2.4.12
PF29	Design of sleep provisions	Amend	2.4.13
HS10	Sleep furniture spacing	Merge	
PF30	Mattress coverings	Amend	2.4.14
PF31	Bedding	Merge	
PF32	Sessional services only: over 2 sleep space	Amend	2.4.15
PF33	All-day services only: over 2 sleep	Amend	2.4.16
PF34	All-day services only: over 2 sleep	Merge	
PF35	Sessional services only: under 2 sleep space	Amend	2.4.17
PF36	Sessional services only: under 2 cot:child ratio	Merge	
PF37	All-day services: under 2 sleep space	Amend	2.4.18
PF38	All-day services: under 2 child:cot ratio	Merge	

Licensing Criterion	Details	Proposed change	Discussion document section
Section 2.5 – Governance, management, and administration criteria			
GMA1	Display of information	Amend	2.5.1
GMA2	Access to information	Amend	2.5.2
GMA3	Provision of information	Merge	
GMA4	Opportunities to review	Amend	2.5.3
GMA5	Philosophy statement	Remove	2.5.4
GMA6	Operational review	Amend	2.5.5
GMA7	Human resource management	Remove	2.5.6
GMA8	Annual plan	Amend	2.5.7
GMA9	Annual budget	Amend	2.5.8
GMA10	Enrolment and attendance records	Amend	2.5.9
GMA11	Attendance record	Merge	

Section 2.2

Summary of **retained criteria centre-based** licensing criteria

The licensing criteria below will be retained or are out of scope for consideration in this consultation.

Licensing Criterion	Details
Health and safety criteria	
HS3	Nappy changing procedure
HS4	Fire evacuation scheme
HS13	Hot water taps
HS15	Noise levels
HS18	Travel by vehicle
HS23	Bottle feeding
HS26	Response to infectious illnesses
HS27	Medical assistance & incident management
HS30	Children washed when soiled
HS32	Inappropriate material
HS33	Alcohol and other substances
Premises and facilities	
PF3	Building compliance
PF5	Safe furniture and equipment
PF6	Flooring
PF7	Safety glass
PF8	Storage
PF10	Art sink
PF11	Telephone
PF15	Dining facilities
PF17	Kitchens inaccessible
PF25	Nappy change facilities
PF26	Body wash facilities
PF27	Isolation area
Governance, management, and administration	
GMA7A	Safety checking
GMA12	Availability of information

Section 2.3

Centre-based early learning **Health and Safety** licensing criteria

2.3.1

HS1: Premises and contents are safe and hygienic – Hygiene

Current wording

Premises, furniture, furnishings, fittings, equipment and materials are kept safe, hygienic and maintained in good condition.

HS11: Storage of sleep furniture and bedding – Sleep

Current wording

If not permanently set up, furniture or items intended for children to sleep on (such as cots, beds, stretchers or mattresses) and bedding is hygienically stored when not in use.

Summary of Ministry for Regulation's recommendations

Merge HS11 and HS1 into a single criterion to reduce unnecessary duplication.

Amend HS1 to make it easier to understand and comply with and reduce unnecessary burdens.

Our response

Amend HS1 by merging it with HS11 requirements.

Proposed criterion identifier and name

TBC

Proposed wording for HS1

Premises, furniture, furnishings, fittings, equipment, materials, and sleeping items (such as mattresses, and bedding) are kept safe, clean, well-maintained, and hygienically stored when not in use.

Why we're proposing this change

We reviewed these criteria and the draft text in consultation with Health New Zealand. We believe this proposed change will reduce unnecessary duplication while still meeting the intent of both HS1 and HS11.

Questions for you

1. Do you think the proposed change reduces duplication?
2. Does the proposed change meet the intent of the original criteria?
3. Does this change support health and safety?

2.3.2

HS2: Laundering – Hygiene

Current wording

Linen used by children or adults is hygienically laundered.

Documentation required:

A procedure for the hygienic laundering (off-site or on-site) of linen used by the children or adults.

Summary of Ministry for Regulation's recommendation

Amend HS2 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend HS2

Proposed criterion identifier and name:

TBC – Hygienic laundering

Proposed wording

Linen used by children or adults is hygienically laundered off-site or on-site.

Why we're proposing this change

We reviewed these criteria and the draft text in consultation with Health New Zealand. We believe this proposed change will reduce unnecessary burden while maintaining the requirement for hygienic laundry practices.

Questions for you

1. Do you think the amendment maintains hygienic laundry practices?
2. Is the proposed new wording clear and easy to understand?
3. Does this change continue to support health and safety?

2.3.3

HS5: Safe assembly areas – Emergencies**Current wording**

Designated assembly areas for evacuation purposes outside the building keep children safe from further risk.

HS7: Emergency plan and supplies – Emergencies**Current wording**

There are a written emergency plan and supplies to ensure the care and safety of children and adults at the service. The plan must include evacuation procedures for the service's premises, which apply in a variety of emergency situations, and which are consistent with the fire evacuation scheme for the building.

Documentation required:

A written emergency plan that includes at least:

- An evacuation procedure for the premises.
- A list of safety and emergency supplies and resources sufficient for the age and number of children and adults at the service and details of how these will be maintained and accessed in an emergency.
- Details of the roles and responsibilities that will apply during an emergency situation.
- A communication plan for families and support services.
- Evidence of review of the plan on an, at least, annual basis and implementation of improved practices as required.

Summary of Ministry for Regulation's recommendations

Remove HS5 because it is covered by other regulatory requirements.

Retain HS7

Our response

Amend HS7 to include HS5

Proposed criterion identifier and name

TBC

Proposed wording

There is a written emergency plan and supplies to ensure the care and safety of children and adults at the service. The plan must include evacuation procedures that are specific to the service's premises and the types of emergencies that are relevant to its location and context. These procedures are consistent with the building's fire evacuation scheme.

Documentation required (written or digital)

A written emergency plan that includes at least:

- an evacuation procedure specific to the premises;
- designated assembly areas located outside the building that helps keep children and adults safe from further risk;
- a list of safety and emergency supplies and resources sufficient for the age and number of children and adults at the service and details of how these will be maintained and accessed in an emergency;
- details of the roles and responsibilities of adults at the service that will apply during an emergency situation;
- a communication plan for families and support services; and
- evidence of review of the plan on an, at least, annual basis and implementation of improved practices as required.

Why we're proposing this change

We believe this proposed change will reduce duplicate criteria while still meeting the intent of both HS7 and HS5 to keep children safe.

Questions for you

1. Do you believe the proposed change reduces duplication?
2. Do you think this change will make it easier for services to comply?

2.3.4**HS6: Securing furniture – Emergencies****Current wording**

Heavy furniture, fixtures and equipment that could fall or topple and cause serious injury or damage are secured.

HS12: Hazard and risk management – Hazards and outings

Current wording

Equipment, premises and facilities are checked on every day of operation for hazards to children. Accident/incident records are analysed to identify hazards and appropriate action is taken. Hazards to the safety of children are eliminated, isolated or minimised.

Consideration of hazards must include but is not limited to:

- cleaning agents, medicines, poisons and other hazardous materials
- electrical sockets and appliances (particularly heaters)
- hazards present in kitchen or laundry facilities
- vandalism, dangerous objects, and foreign materials (for example broken glass, animal droppings)
- the condition and placement of learning, play and other equipment
- windows and other areas of glass

Documentation required:

A documented risk management system

Summary of Ministry for Regulation's recommendations

Merge HS6 into a single criterion to reduce unnecessary duplication.

Retain HS12

Our response

Amend HS12 to include wording from HS6

Proposed criterion identifier and name: Hazard and risk management

TBC

Proposed wording

Risk Assessment and Management System (RAMS) is in place that ensures:

- 1) On every day of operation equipment, premises and facilities are checked for hazards to children; these include but are not limited to:
 - › cleaning agents, medicines, poisons and other hazardous materials
 - › electrical sockets and appliances
 - › hazards present in kitchen or laundry facilities
 - › vandalism, dangerous objects, and foreign materials
 - › the condition and placement of learning, play and other equipment

- › windows and other areas of glass
 - › poisonous plants
 - › bodies of water; and
 - › heavy furniture, fixtures and equipment that could fall or topple and cause serious injury or damage are secured.
- 2) Hazards are eliminated, isolated or minimised.
 - 3) Accident/incident records are analysed to identify recurring and emerging hazards and appropriate action is taken

Documentation required (written or digital)

A documented risk assessment and management system

Why we're proposing this change

We believe this proposed change will reduce duplicate criteria and improve safety through daily safety checks.

Questions for you

1. Do you believe the proposed change reduces duplication?
2. Do you believe the proposed change improves safety?
3. Does the proposed change increase compliance burden on service providers?

2.3.5

HS8: Emergency drills – Emergencies

Current wording

Adults providing education and care are familiar with relevant emergency drills and carry out each type of drill with children (as appropriate) on an, at least, 3-monthly basis.

Documentation required:

A record of the emergency drills carried out and evidence of how evaluation of the drills has informed the annual review of the service's emergency plan.

Summary of Ministry for Regulation's recommendations

Amend HS8 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend HS8

Proposed wording

HS8 - Adults providing education and care are familiar with relevant emergency drills and carry out each type of drill with children (as appropriate) on an, at least, 4-monthly basis.

Documentation required (written or digital)

A record of the emergency drills carried out and evidence of how evaluation of the drills has informed the annual review of the service's emergency plan.

Why we're proposing this change

We believe this proposed change will reduce unnecessary burden. This change should also give providers greater flexibility for when they hold drills while also supporting best practice of holding drills.

Questions for you

1. Does the proposed change help clarify what needs to be done to be compliant?
2. Does the proposed change reduce compliance burden?
3. Will the proposed change give more flexibility to service providers?

2.3.6**HS9: Sleep – Sleep monitoring****Current wording**

A procedure for monitoring children's sleep is displayed and implemented and a record of children's sleep times is kept.

Documentation required:

A procedure for monitoring children's sleep. The procedure ensures that children:

- do not have access to food or liquids while in bed; and
- are checked for warmth, breathing, and general wellbeing at least every 5 to 10 minutes, or more frequently according to individual needs.

A record of the time each child attending the service sleeps, and checks made by adults during that time.

Summary of Ministry for Regulation's recommendations

Amend HS9 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend HS9

Proposed wording

- 1) A procedure for monitoring children's sleep is displayed and implemented and a record of children's sleep times is kept.

Documentation required (written or digital)

A procedure for monitoring children's sleep. The procedure includes steps to ensure that children:

- › do not have access to food or liquids while in bed; and
- › are checked for warmth, breathing, and general well-being at least every 10-15 minutes, or more frequently according to individual needs.

- 2) A record of the time each child attending the service sleeps, and checks made by adults during that time.

Why we're proposing this change

We have aligned the frequency of monitoring intervals to align with HS8 for licensed home-based services. We believe the frequency of sleep checks can be safely reduced as long as services continue checking for warmth, breathing, and wellbeing at least every 10-15 minutes or more frequently to meet individual needs.

Questions for you

1. Does the proposed change reduce burden on providers?
2. Will this proposed change make it easier for services to comply with the amended criterion?
3. Does the amended criterion support health and safety?

2.3.7**HS14: Hot water cylinder temperature – Hazards and outings****Current wording**

Water stored in any hot water cylinder is kept at a temperature of at least 60°C.

Summary of Ministry for Regulations recommendations

Amend HS14 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend HS14

Proposed wording

Water stored in any hot water cylinder is kept at a temperature of at least 60°C. Any malfunctioning hot water cylinder is inspected and repaired as necessary.

Why we're proposing this change

We believe this proposed change will reduce unnecessary burden while maintaining health and safety.

Questions for you

1. Do you think the intent of the original criterion is still met with the amended criterion?
2. Will this proposed change make it easier for services to comply with the amended criterion?
3. Will this amended meet the needs of family and whānau?
4. Does the amended criterion support health and safety?

2.3.8

HS16: Animals – Hazards and outings**Current wording**

Safe and hygienic handling practices are implemented with regard to any animals at the service. All animals are able to be restrained.

Summary of Ministry for Regulation's recommendations

Amend HS16 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend HS16

Proposed wording

Safe and hygienic practices are implemented with regard to any animals at the service (such as thorough handwashing after handling animals and ensuring animals can be kept separate from food preparation/eating spaces). All animals are able to be restrained if they pose a risk to children.

Why we're proposing this change

We believe this proposed change will improve provider understanding and compliance.

Questions for you

1. Is the new wording clear about what services need to do to manage animals safely and hygienically?
2. Do you think this change makes it easier for services to understand and follow the requirement?
3. Does the proposed wording reduce unnecessary compliance burden while still protecting children's health and safety?

2.3.9

HS17: Excursions – Hazards and outings

Current wording

Whenever children leave the premises on an excursion:

- assessment and management of risk is undertaken, and adult:child ratios are determined accordingly. Ratios are not less than the required adult:child ratio
- the first aid requirements in criterion HS25 are met in relation to those children and any children remaining at the premises
- parents have given prior written approval to their child's participation and of the proposed ratio for:
 - › regular excursions at the time of enrolment and
 - › special excursions prior to the excursion taking place; and
- there are communication systems in place so that people know where the children are, and adults can communicate with others as necessary.

When children leave the premises on a regular or special excursion, the excursion must be approved by the person responsible.

Documentation required:

A record of excursions that includes:

- the names of adults and children involved
- the time and date of the excursion
- the location and method of travel
- assessment and management of risk
- adult:child ratios
- evidence of parental permission and approval of adult:child ratios for regular excursions

- evidence of parental permission and approval of adult:child ratios for special excursions; and
- the signature of the person responsible giving approval for the excursion to take place.

Summary of Ministry for Regulation's recommendations

Amend HS17 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend HS17

Proposed wording

Whenever children leave the premises on an excursion:

- a risk assessment and management process (RAMS) is undertaken, and adult:child ratios are determined accordingly. Ratios are not less than the required adult:child ratio
- first aid requirements in criterion HS25 are met in relation to those children and any children remaining at the premises
- parents have given prior written approval to their child's participation and of the proposed ratio, location and method of travel for:
 - › regular excursions at the time of enrolment; and
 - › special excursions prior to the excursion taking place
- communication systems are in place so that people know where the children are, and adults can communicate with others as necessary; and
- the Person Responsible approves all excursions (regular and special) before they take place.

Documentation required (written or digital)

A record of excursions that includes:

- the names of all adults and children involved
- the time and date of the excursion
- adult:child ratios
- the location and method of travel
- completed risk assessment and management process (RAMS)
- evidence of parental permission and approval of adult:child ratios, location and method of travel for regular and special excursions; and
- the signature of the person responsible giving approval for the excursion to take place.

Why we're proposing this change

This proposal should help clarify expectations that providers document evidence of parental permission, including approval of the location to be visited and method of travel for both regular and special excursions.

We believe this proposed change will improve provider understanding and compliance.

Questions for you

1. Does the proposed change give better clarity on what providers are expected to document when leaving the premises?
2. Will this proposed change reduce compliance burden?
3. Will this amendment give better clarity about what is to be provided to family and whānau?

2.3.10**HS19: Food and nutrition – Food and drink****Current wording**

Food is served at appropriate times to meet the nutritional needs of each child while they are attending. Where food is provided by the service, it is of sufficient variety, quantity and quality to meet the nutritional and developmental needs of each child. Where food is provided by parents, the service encourages and promotes healthy eating guidelines.

Documentation required:

A record of all food served during the service's hours of operation (other than that provided by parents for their own children). Records show the type of food provided and are available for inspection for 3 months after the food is served.

HS21: Drinking water – Food and drink**Current wording**

An ample supply of water that is fit to drink is available to children at all times, and older children are able to access this water independently.

Summary of Ministry for Regulation's recommendations

Retain HS19 without any changes.

Amend HS21 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend HS19 by including wording from HS21.

Proposed criterion identifier and name

TBC – Food and Nutrition

Proposed wording

An ample supply of water that is fit to drink is available to children at all times, and older children are able to access this water independently.

Food is served at appropriate times to meet the nutritional needs of each child while they are attending. Where food is provided by the service, it is of sufficient variety, quantity and quality to meet the nutritional and developmental needs of each child.

Where food is provided by parents, the service encourages and promotes healthy eating guidelines.

Documentation required (written or digital)

A record of all food served during the service's hours of operation (excluding food provided by parents for their own children).

Records show the type of food provided and are available for inspection for 3 months after the food is served.

Why we're proposing this change

We believe this proposed change will reduce multiple criteria into a single criterion, reducing the burden on providers.

Questions for you

1. Does the proposed change reduce the compliance burden for providers?
2. Does the proposed change make it clear what providers need to do to meet compliance requirements?
3. Is the proposed wording easy to understand?

2.3.11**HS22: Supervision while eating – Food and drink****Current wording**

Children are supervised and seated while eating.

Where food is provided by the service, foods that pose a high choking risk are not to be served unless prepared in accordance with best practice as set out in Ministry of Health's guide: [Reducing food-related choking for babies and young children at early learning services](#).

Where food is provided by parents, the service promotes best practices as set out in the Ministry of Health's guide and must provide to all parents at the time of enrolment a copy of the pamphlet: Reducing food-related choking for babies and young children at early learning services.

Summary of Ministry for Regulation's recommendations

Amend HS22 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend HS22

Proposed criterion identifier and name

TBC – Supervision while eating

Proposed wording

Children are supervised and are seated while eating. A supervising adult must be in close proximity to children (but is not required to be seated) and know how to respond if a child is choking or has an adverse reaction.

Where food is provided by the service, foods that pose a high choking risk are not to be served unless prepared in accordance with best practice as set out in Ministry of Health's guide: [Reducing food-related choking for babies and young children at early learning services](#).

Where food is provided by parents, the service promotes best practices as set out in the Ministry of Health's guide and must inform all parents at the time of enrolment how to access a copy of the guide: Reducing food-related choking for babies and young children at early learning services.

[Reducing-food-related-choking-pamphlet-print.pdf](#)

Why we're proposing this change

A degree of flexibility should be allowed in how providers share Health New Zealand guidance with parents.

We believe this proposed change reduces unnecessary burden while maintaining overall health and safety.

Questions for you

1. Does the proposed wording clearly explain what supervision is required while children are eating?
2. Do you think this change gives services more flexibility while still supporting children's safety?
3. Is it clear what services must do when food is provided by parents' compared to when it's provided by the service?
4. Do you think this change reduces compliance burden for services?

2.3.12

HS24: Room temperature – Child health and wellbeing

Current wording

Rooms used by children are kept at a comfortable temperature no lower than 18°C (at 500mm above the floor) while children are attending.

Summary of Ministry for Regulation's recommendations

Amend HS24 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend HS24

Proposed criterion identifier and name

TBC – Room temperature

Proposed wording

Maintain a comfortable temperature in rooms used by children (no lower than 18°C at 500mm above the floor), allowing for fluctuating temperatures for brief periods.

Why we're proposing this change

Allowing for fluctuating temperatures for brief periods acknowledges that temporary dips in temperature (like when a door is briefly opened) are acceptable, as long as the overall environment remains comfortable.

Questions for you

1. Does the new wording make it clear what services need to do to maintain a comfortable temperature when children are attending?
2. Do you think allowing brief fluctuations in temperature makes the requirement more practical?
3. Does this change reduce unnecessary burden while still supporting children's health and wellbeing?

2.3.13

HS25: First aid qualifications – Child health and wellbeing**Current wording**

There is an adult present at all times for every 25 children attending (or part thereof) that:

- holds a current first aid qualification gained from a New Zealand Qualification Authority accredited first aid training provider or
- is a registered medical practitioner or nurse with a current practising certificate or
- is a qualified ambulance officer or paramedic.

If a child is injured, any required first aid is administered or supervised by an adult meeting these requirements.

Documentation required:

Copies of current first aid (or medical practising) certificates for adults counting towards this requirement.

Summary of Ministry for Regulation's recommendations

Retain HS25

Our response

Amend HS25

Proposed criterion identifier and name

TBC – First aid qualifications

Proposed wording

There is an adult present at all times for every 25 children attending (or part thereof) that:

- holds a current first aid qualification gained from a New Zealand Qualification Authority accredited first aid training provider; or
- is a registered medical practitioner, nurse or midwife with a current practising certificate; or
- is a qualified ambulance officer or paramedic.

In the case of an emergency, such as those described in HS27, the required ratio of first aid qualified adults may be temporarily reduced to 1 adult for every 50 children for the duration of that situation.

If a child is injured, any required first aid is administered or supervised by an adult meeting these requirements.

Documentation required:

Copies of current first aid (or medical practising) certificates for adults counting towards this requirement.

Why we're proposing this change

The proposed changes should give providers flexibility to help individual children in an emergency without imposing a compliance burden. The 'person responsible' requirement should ensure there's at least one adult with a first aid qualification for every 50 children in attendance. The proposed change would also enable qualified and certificated midwives to count as a qualified first aider. We believe this proposed change reduces unnecessary burden while maintaining overall health and wellbeing.

Questions for you

1. Do you believe the intent of the original criterion is still met with the amended criterion?
2. Will this proposed change make it easier for services to comply with the amended criterion?
3. Will this amended meet the needs of family and whānau?
4. Does the amended criterion support health and safety?

2.3.14

HS28: Medicine administration – Child health and wellbeing

Current wording

Medicine (prescription and non-prescription) is not given to a child unless it is given:

- by a doctor or ambulance personnel in an emergency or
- by the parent of the child or
- with the written authority (appropriate to the category of medicine) of a parent.

Medicines are stored safely and appropriately, and are disposed of, or sent home with a parent (if supplied in relation to a specific child) after the specified time.

Documentation required:

A record of the written authority from parents for the administration of medicine in accordance with the requirement for the category of medicine outlined in Appendix 3.

Appendix 3: Categories of medicine for criterion HS28

A record of all medicine (prescription and non-prescription) given to children attending the service. Records include:

- name of the child
- name and amount of medicine given
- date and time medicine was administered and by whom and
- evidence of parental acknowledgement

Summary of Ministry for Regulation's recommendations

Amend HS28 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend HS28

Proposed wording

Medicine (prescription and non-prescription) is not given to a child unless it is given:

- by a doctor or ambulance personnel in an emergency or
- by the parent of the child or
- with the written authority (appropriate to the category of medicine) of a parent.

Before an adult at the service administers medication, the person must check the medication, dosage and time reflects the parent's authorisation.

Medicines are stored safely and appropriately, and are disposed of, or sent home with a parent (if supplied in relation to a specific child) after the specified time.

Documentation required (written or digital)

- 1) A record of the written authority from parents for the administration of medicine in accordance with the requirement for the category of medicine outlined in Appendix 3.
- 2) A record of all medicine (prescription and non-prescription) given to children attending the service. Records include:
 - › child's full name
 - › name and amount of medicine given,
 - › date and time medicine was administered and by whom; and
 - › evidence of parental acknowledgement. Appendix 3 (revised)

Appendix 3 revised**Category (i) medicines (new)****Definition**

A prescription (such as antibiotics, eye/ear drops and so on) or non-prescription (such as paracetamol liquid, cough syrup and so on) medicine that is:

- used for a specific period of time to treat a specific condition or symptom and
- provided by a parent for the use of that child only or, in relation to Rongoa Māori (Māori plant medicines), that is prepared by other adults at the service.

Authority and acknowledgment required (written or digital)

A written authority from a parent at the beginning of the period the medicine is intended to be administered, detailing:

- what (name of medicine)
- how (method and dose) and
- when (time or specific symptoms/circumstances) medicine is to be given.
- Renew authorisation if period needs to be extended, or if circumstances change.
- Each day, parents acknowledge that their child has received their medication, and confirmation should be recorded.

Category (ii) medicines (new)**Definition**

A prescription (such as asthma inhalers, epilepsy medication and so on) or non-prescription (such as antihistamine syrup, lanolin cream and so on) medicine that is:

- used for the ongoing treatment of a pre-diagnosed condition (such as asthma, epilepsy, allergic reaction, diabetes, eczema and so on) and
- provided by a parent for the use of that child only.

Authority and acknowledgment required (written or digital)

A written authority from a parent given at enrolment as part of an individual health plan, or whenever there is a change, detailing:

- what (name of medicine)
- how (method and dose) and
- when (time or specific symptoms/circumstances) the medicine should be given.
- Frequency of parental acknowledgment can be agreed between service provider and parents.

Why we're proposing this change

We propose revising Appendix 3 - Categories of medication and authorisation to remove the current category 1 requirements.

Information about first aid administration will still be given to parents under HS27.

Information about child allergies will continue to be recorded under GMA10.

This proposed change, when viewed alongside other requirements, should continue to support children's health, safety and wellbeing.

We believe this proposed change will reduce unnecessary burden while also encouraging communication between providers and parents while also maintaining child health and safety.

Questions for you

1. Does the new wording make it easier to understand when and how medicine can be given to children?
2. Do you think this change helps reduce unnecessary compliance burden for services?
3. Is it clear what documentation is needed for different types of medicine?
4. Does the updated requirement support children's health and safety during both emergencies and daily care?

2.3.15**HS29: Medicine training – Child health and wellbeing****Current wording**

Adults who administer medicine to children (other than their own) are provided with information and/or training relevant to the task.

Documentation required:

A record of training and/or information provided to adults who administer medicine to children (other than their own) while at the service.

Summary of Ministry for Regulation's recommendations

Retain HS29 without any changes.

Our response

Amend HS29

Proposed wording

Adults responsible for administering medicine to children (other than their own) are provided with the necessary information, training, or instruction to do so safely and effectively. This may be from the child's parent or whānau, or a health professional, as appropriate.

Why we're proposing this change

Provides further clarity around information and/or training requirements.

Questions for you

1. Do you think the intent of the original criterion is still met with the amended criterion?
2. Will this proposed change make it easier for services to comply?
3. Will this amended meet the needs of family and whānau?
4. Does the amended criterion support health and safety?

2.3.16

HS31: Child protection – Child protection**Current wording**

There is a written child protection policy that meets the requirements of the Vulnerable Children Act 2014. The policy contains provisions for the identification and reporting of child abuse and neglect, and information about how the service will keep children safe from abuse and neglect, and how it will respond to suspected child abuse and neglect.

The policy must be reviewed every 3 years.

Documentation required:

A written child protection policy that contains:

- provisions for the service's identification and reporting of child abuse and neglect
- information about the practices the service employs to keep children safe from abuse and neglect and
- information about how the service will respond to suspected child abuse and neglect.

A procedure that sets out how the service will identify and respond to suspected child abuse and/or neglect.

Summary of Ministry for Regulation's recommendations

Amend HS31 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend HS31

Proposed wording

A written child protection policy and procedure is implemented that meets the requirements of the Children's Act 2014. The policy and procedure contain provisions for:

- the identification and reporting of child abuse and neglect
- information about how the service will keep children safe from abuse and neglect
- how the service will respond to suspected child abuse and neglect.

The policy and procedure must be reviewed every 3 years to assess how well it has supported or would support the service's response to child abuse and neglect.

Documentation required

- 1) A written child protection policy that contains:
 - › provisions for the service's identification and reporting of child abuse and neglect
 - › information about the practices the service employs to keep children safe from abuse and neglect and
 - › information about how the service will respond to suspected child abuse and neglect.
- 2) A procedure that sets out how the service will identify and respond to suspected child abuse and/or neglect.
- 3) Evidence the service has reviewed the policy and procedure every three years. As part of the review, the service must evaluate how well the policy and procedure works using at least one example of either:
 - › how well the policy and procedure has supported the service to respond, or
 - › how well the policy and procedure would support the service to respond using a hypothetical scenario.

Why we're proposing this change

We have suggested this proposed change based on recommendations contained in the [2024 Poutasi report](#) to help protect children from harm.

Questions for you

1. Do you think the amended criterion will support services to help protect children from harm?
2. Will this proposed change make it easier for services to comply with the criterion?
3. Will this amended criterion meet the needs of family and whānau?
4. Does the amended criterion support health and safety?

2.3.17**HS34:** Incident notification to the Ministry of Education**Current wording**

Where there is a serious injury or illness or incident involving a child while at the service that is required to be notified to a specified agency, the service provider must also notify the Ministry of Education at the same time.

Documentation required:

A copy of the notification sent to the specified agency.

Summary of Ministry for Regulation's recommendations

Amend HS34 to make it easier to understand and comply with and reduce unnecessary burden

Our response

Amend HS34

Proposed wording

- 1) The Ministry of Education must be notified at the same time as any specified agencies when there is a serious injury, illness, or incident involving a child while at the service.
- 2) The Ministry must also be notified as soon as possible if the service's child protection policy requires a notification to any agency (such as Oranga Tamariki or Police) relating to a child while attending the service.
- 3) The Ministry of Education must also be notified as soon as possible of the following incidents:
 - › A child leaves the premises without the knowledge of an adult, regardless of the duration.
 - › A child is locked inside the premises after operating hours.
 - › A child is taken from the service by someone not authorised in writing to do so.
 - › A child is left behind or goes missing during an excursion.

Documentation required (written or digital)

A copy of the notification sent to any specified agency and summary of any notification or report of concern sent to Oranga Tamariki or NZ Police.

Where applicable, a copy of the service's investigation into the incident, including recorded outcomes and any supporting documentation.

Why we're proposing this change

We have suggested this proposed change based on recommendations contained in the 2024 Poutasi report and to be clearer about the situations where a notification should be made.

Questions for you

1. Do you think the intent of the original criterion is still met with the amended criterion?
2. Will this proposed change make it easier for services to comply with the criterion?
3. Will this amended criterion meet the needs of family and whānau?
4. Does the amended criterion support health and safety?

Section 2.4

Centre-based early learning **premises and facilities** licensing criteria

2.4.1

PF1: Design and layout of premises – General

Current wording

The design and layout of the premises:

- support the provision of different types of indoor and outdoor experiences; and
- include quiet spaces, areas for physically active play, and space for a range of individual and group learning experiences appropriate to the number, ages, and abilities of children attending.

PF2: Premises support effective supervision – General

Current wording

The design and layout of the premises support effective adult supervision so that children's access to the licensed space (indoor and outdoor) is not unnecessarily limited.

Summary of Ministry for Regulation's recommendations

Amend PF1 to make it easier to understand and comply with and reduce unnecessary burden. Merge PF2 and PF1 into a single criterion to reduce unnecessary duplication.

Our response

Amend PF1 and merge with PF2

Proposed criterion identifier and name

TBC

Proposed wording

The design and layout of the premises:

- support the provision of different types of indoor and outdoor experiences
- support effective adult supervision so that children's access to the licensed space (indoor and outdoor) is not unnecessarily limited; and
- include quiet spaces, areas for physically active play, and space for a range of individual and group learning experiences appropriate to the number, ages, and abilities of children attending.

Why we're proposing this change

The proposed amendment reflects MfR's recommendation. The broad wording should give providers flexibility to configure the physical environment to suit differing curriculum priorities.

Questions for you

1. Does the proposed wording make it clear how the design and layout should support different types of learning and play?
2. Do you think this change supports services to create learning environments that work for children of different ages and abilities?
3. Do you think the new wording makes it easier to understand what's required, without creating unnecessary burden?

2.4.2

PF4: Variety of equipment – General**Current wording**

A sufficient quantity and variety of (indoor and outdoor) furniture, equipment, and materials is provided that is appropriate for the learning and abilities of the children attending.

Summary of Ministry for Regulation's recommendations

Amend PF4 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend PF4

Proposed wording

A sufficient quantity and range of indoor and outdoor furniture, equipment, and materials is provided to ensure children have timely access to appropriate learning challenges, experiences, and opportunities that support their developmental stages, abilities, and current and emerging interests.

Why we're proposing this change

Clarifying expectations will help services understand the intent behind PF4 and may improve compliance.

Questions for you

1. Does the proposed wording support the need to provide for children's different ages, abilities, and interests?
2. Do you think this change will improve understanding and compliance without adding extra compliance burden?

2.4.3

PF9: Adult workspace – General**Current wording**

There is space for adults working at the service to:

- use for planned breaks
- meet privately with parents and colleagues
- store curriculum support materials; and
- assess, plan and evaluate.

Summary of Ministry for Regulation's recommendations

Amend PF9 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend PF9

Proposed wording

* There is space (where children are not present) for adults working at the service to:

- use for planned breaks
- meet privately with parents and colleagues
- store curriculum support materials; and
- assess, plan and evaluate.

Why we're proposing this change

The proposed changes should help providers understand expectation for adult workspaces.

Questions for you

1. Does the proposed new wording help providers better understand expectations related to adult working spaces?
2. To what extent could this change add compliance burden?
3. How easy would it be to implement the proposed change?

2.4.4**PF12: Lighting, ventilation, heating, and acoustic materials – General****Current wording**

Parts of the building or buildings used by children have:

- lighting (natural or artificial) that is appropriate to the activities offered or purpose of each room
- ventilation (natural or mechanical) that allows fresh air to circulate (particularly in sanitary and sleep areas)
- a safe and effective means of maintaining a room temperature of no lower than 18°C; and
- acoustic absorption materials, if nearly necessary, to reduce noise levels that may negatively affect children's learning or wellbeing.

Summary of Ministry for Regulation's recommendations

Amend PF12 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend PF12

Proposed wording

Parts of the building or buildings used by children have:

- lighting (natural or artificial) that is appropriate to the activities offered or purpose of each room
- ventilation (natural or mechanical) that allows sufficient fresh air to circulate (particularly in sanitary and sleep areas)

- safe and effective means of maintaining a comfortable room temperature; and
- acoustic absorption materials, if necessary, to reduce noise levels that may negatively affect children's learning or wellbeing.

Why we're proposing this change

We believe the proposed amendments are clear that each service has a safe and effective means of maintaining a comfortable room temperature. It should also help reduce duplication with HS24 - Room temperature.

Questions for you

1. Does the new wording clearly explain what's required for lighting, ventilation, temperature, and noise control in children's spaces?
2. Do you think removing the separate temperature requirement helps reduce duplication?
3. Is it clear how services can maintain a comfortable indoor environment for children?
4. Do you think this change supports children's health, comfort, and learning without increasing compliance burden?

2.4.5

PF13: Outdoor activity space – General

Current wording

Outdoor activity space is:

- connected to the indoor activity space and can be easily and safely accessed by children
- safe, well-drained, and suitably surfaced for a variety of activities
- enclosed by structures and/or fences and gates designed to ensure that children are not able to leave the premises without the knowledge of adults providing education and care
- not unduly restricted by Resource Consent conditions with regards to its use by the service to provide for outdoor experiences; and
- available for the exclusive use of the service during hours of operation.

Summary of Ministry for Regulation's recommendations

Amend PF13 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend PF13

Proposed wording

Outdoor activity space is:

- connected to the indoor activity space so that children can access it safely and easily (limiting outdoor access may be appropriate at times).
- safe, well-drained, and suitably surfaced for a variety of activities
- enclosed by structures and/or fences and gates designed to ensure that children are not able to leave the premises without the knowledge of adults providing education and care
- not unduly restricted by Resource Consent conditions with regards to its use by the service to provide for outdoor experiences; and
- available for the exclusive use of the service during hours of operation.

Why we're proposing this change

The amendment should give providers some reassurance and clarity about what is expected under PF13, which may enhance compliance.

Questions for you

1. Does the new wording make it clearer what this criterion is asking services to do?
2. Do you think the new wording would help services follow this requirement more easily?
3. How easy would it be for services to make this change?
4. Does the new wording help you feel more confident about what's expected?

2.4.6**PF14: Infant toddler safe space****Current wording**

Applies only to services licensed for under 2-year-olds

There are safe and comfortable (indoor and outdoor) spaces for infants, toddlers or children not walking to lie, roll, creep, crawl, pull themselves up, learn to walk and to be protected from more mobile children.

Summary of Ministry for Regulation's recommendations

Amend PF14 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend PF14

Proposed wording

Applies only to services licensed for under 2-year-olds

There are safe and comfortable (indoor and outdoor) spaces for infants, toddlers or children not walking to lie, roll, creep, crawl, pull themselves up, learn to walk and to be protected from more mobile children. This does not prohibit infants and toddlers from moving throughout the premises or learning alongside older children.

Why we're proposing this change

The clarification may ease the burden for providers, particularly if there was a misunderstanding that younger and older children must always be separated.

Questions for you

1. Does the new wording make it clearer what's expected for keeping non-walking children safe?
2. Do you think the new wording helps clear up any confusion about separating younger and older children?
3. How easy would it be for your service to follow this new wording in practice?
4. Could this change reduce pressure or worry for services about how to meet this requirement?

2.4.7**HS20: Food hygiene****Current wording**

Food is prepared, served and stored hygienically.

PF16: Kitchen facilities**Current wording**

****** There are facilities for the hygienic preparation, storage and/or serving of food and drink that contain:

- a means of keeping perishable food at a temperature at or below 4°C and protected from vermin and insects
- a means of cooking and/or heating food
- a means of hygienically washing dishes
- a sink connected to a hot water supply

- storage; and
- food preparation surfaces that are impervious to moisture and can be easily maintained in a hygienic condition.

Summary of Ministry for Regulation's recommendations

Amend PF16 and merge it with HS20 to make it easier to understand and comply with and reduce unnecessary burdens.

Our response

Amend PF16. Merge HS20 with PF16.

Proposed wording

Services not subject to National Programme 2 (NP2) under the Food Act 2014. (Services subject to NP2 are deemed to meet this requirement through their NP2 registration)

* Services ensure that facilities used to prepare, serve, and store food and drink are hygienic and suitable for purpose. These facilities must include:

- a means of keeping perishable food at or below 5°C
- a means of keeping all foods protected from pests
- a means of cooking and/or heating food to safe temperatures
- a means of hygienically washing dishes
- a sink connected to a hot water supply
- adequate and suitable storage for food, utensils, and equipment; and
- food preparation surfaces that are easily maintained in a hygienic condition.

Why we're proposing this change

We have targeted this criterion to services who are not registered with National Programme 2 (NP2). The proposed criterion amendment reflects the latest guidance from the Ministry for Primary Industries.

Questions for you

1. Does the new wording clarify to which services this criterion applies?
2. Will this change help services understand what food and drink facilities are required if they're not part of National Programme 2 (NP2)?
3. Do you think keeping this criterion helps avoid confusion or unintended problems for services?

2.4.8

PF18: Toilets – Toilet and handwashing facilities**Current wording**

The service has at least 1 toilet for every 1 to 15 persons. Persons are defined as children aged 2 and older and teaching staff that count towards the required adult:child ratio.

PF20: Toilet and handwashing facilities – Toilet and handwashing facilities**Current wording**

Toilet and associated handwashing/drying facilities intended for use by children are:

- designed and located to allow children capable of independent toileting to access them safely without adult help and
- adequately separated from areas of the service used for play or food preparation to prevent the spread of infection.

PF22: Toilet privacy – Toilet and handwashing facilities**Current wording**

At least 1 of the toilets for use by children is designed to provide them with some sense of privacy.

Summary of Ministry for Regulation's recommendations

Amend PF18 to make it easier to understand and comply with and reduce unnecessary burdens. Merge PF18, PF20 and PF22 into a single criterion to reduce unnecessary duplication.

Our response

Amend PF18 and merge with PF20 and PF22

Proposed criterion identifier and name

TBC

Proposed wording

The service has at least 1 toilet for every 1 to 15 persons. Persons are defined as children aged 2 and older and adults that count towards the minimum adult:child ratio requirements.

Toilets intended for use by children or adults must be adequately separated from areas used for play or where food is prepared, to help minimise the spread of infection.

Toilets intended for use by children must be easy and safe for them to reach and use on their own, without needing help from an adult. At least one of these toilets must be designed to provide a sense of privacy.

Why we're proposing this change

Merging all toilet-related criteria simplifies compliance for providers.

Health New Zealand plays a role in assessing PF20 and PF22, but it does not hold the same role for PF18. Merging these criteria will mean Health New Zealand will only partially assess this criterion.

Questions for you

1. Does merging the toilet-related criteria make it easier to understand what's required?
2. Could this change make it simpler for services to meet toilet-related requirements?
3. Do you think combining these criteria will cause confusion about Health New Zealand's role?

2.4.9**PF19: Handwashing facilities ratio – Toilet and handwashing facilities****Current wording**

There is at least 1 tap delivering warm water (over an individual or shared handbasin) for every 15 persons (or part thereof) at the service (that is to say, children attending and adults counting towards the required adult:child ratio).

PF20: Toilet and handwashing facilities – Toilet and handwashing facilities

Current wording

- # Toilet and associated handwashing/drying facilities intended for use by children are:
- designed and located to allow children capable of independent toileting to access them safely without adult help and
 - adequately separated from areas of the service used for play or food preparation to prevent the spread of infection.

PF21: Hand drying facilities – Toilet and handwashing facilities

Current wording

- # There is means of drying hands for children and adults that prevents the spread of infection.

Summary of Ministry for Regulation's recommendations

Amend PF19 to make it easier to understand and comply with and reduce unnecessary burdens. Merge PF20 and PF21 into a single criterion to reduce unnecessary duplication.

Our response

Merge and amend PF19 to include PF20 and PF21

Proposed criterion identifier and name

TBC

Proposed wording

There is at least 1 tap delivering warm water (over an individual or shared handbasin) for every 15 persons. Persons are defined as children attending and adults counting towards minimum adult:child ratio requirements.

- # Appropriate handwashing/drying facilities are provided (for both adults and children) that minimises the spread of infection.
- These facilities are safe and easy to access after using the toilet and are kept separate from play areas and places where food is prepared or served.
 - Children capable of using the toilet independently have handwashing/drying facilities that can be used safely without adult help.

Why we're proposing this change

Merging all handwashing/drying-related criteria simplifies compliance for providers.

Health New Zealand plays a role in assessing PF20 and PF21, but it does not hold the same role for PF19. Merging these criteria will mean Health New Zealand will only partially assess this criterion.

Questions for you

1. Does combining the handwashing and drying criteria make it easier to understand what's required?
2. Does this change help reduce the number of rules services have to check, without adding extra work?
3. Do you think merging these criteria might create confusion about Health New Zealand's role?
4. How clear is it who is responsible for checking the new, combined requirement?

2.4.10**PF23: Adult toilet and handwashing – Other sanitary facilities****Current wording**

* There is a toilet suitable for adults to use.

Summary of Ministry for Regulation's recommendations

Remove PF23

Our response

Amend PF23

Proposed wording

* There is a toilet and handwashing/ drying facilities suitable for adults to use that minimises the spread of infection.

Why we're proposing this change

We propose to amend PF23 to clarify that appropriate sanitary facilities are available for adults in the service. This is important to retain because some early learning services in older buildings may not be covered by the Building Act. This minor amendment should also continue to support adults' dignity and minimise the risk of infection spreading across the service.

Questions for you

1. Do you feel the amended text helps clarify the purpose of the criterion?
2. Do you feel this criterion (PF23) should be retained?

2.4.11

PF24: Tempering valve – Other sanitary facilities**Current wording**

A tempering valve or other accurate means of limiting hot water temperature is installed for the requirements of criterion HS13 to be met.

HS13 Temperature of hot water from taps children can access

Summary of Ministry for Regulation's recommendations

Remove PF24 because it is covered by other regulatory requirements.

Our response

Remove PF24

Proposed wording

Nil.

Why we're proposing this change

We're proposing to remove this criterion as recommended.

HS13 requires water temperature at taps accessible to children to be no higher than 40°C, and comfortable for children at the centre to use, which supports health and safety. This change may ease the compliance burden for providers as they may have an alternative way of keeping the water temperature at 40°C or below.

Questions for you

1. Could removing this criterion (PF24) help reduce compliance workload without compromising safety?
2. Do you agree that HS13 already covers what's needed to keep water at a safe temperature?
3. How confident are you that your service can meet this requirement using just HS13?

2.4.12

PF28: First aid kit - Other sanitary facilities**Current wording**

There is a first aid kit that:

- complies with the requirements of Appendix 1
- is easily recognisable and readily accessible to adults, and
- is inaccessible to children.

Summary of Ministry for Regulation's recommendations

Amend PF28 to make it easier to understand and comply with and reduce unnecessary burdens.

Our response

Amend PF28

Proposed wording

- 1) There is a first aid kit that is:
 - sufficient for the number of children at the service
 - is easily recognisable and readily accessible to adults; and
 - is inaccessible to children.
- 2) There is a system for reviewing the first aid kit so that it stays well-stocked, with any used or expired items promptly replenished or replaced.

Why we're proposing this change

The proposed amendment should also support the health and safety of everyone at the service, including children and adults, because the first aid kit will need to be up to date and able to be used effectively.

Questions for you

1. Does the wording make it clearer what's expected for keeping a first aid kit at the service?
2. Does adding a requirement to regularly check and restock the first aid kit help support health and safety?
3. How easy would it be for your service to follow this new requirement?
4. Do you think this change will help make sure first aid kits are always ready to use when needed?

2.4.13

PF29: Design of sleep provisions – Sleep**Current wording**

Furniture and items intended for children to sleep on (such as cots, beds, stretchers or mattresses) are of a size that allows children using them to lie flat and are of a design to ensure their safety.

HS10: Sleep furniture spacing – Sleep**Current wording**

Furniture or items intended for children to sleep on (such as cots, beds, stretchers or mattresses) are arranged and spaced when in use so that:

- adults have clear access to at least one side (meaning the length, not the width)
- the area surrounding each child allows sufficient air movement to minimise the risk of spreading illness; and
- children able to sit or stand can do so safely as they wake.

Summary of Ministry for Regulation's recommendations

Amend HS10 and PF29 to make them easier to understand and comply with and reduce unnecessary burden.

Our response

Amend PF29 and merge with HS10

Proposed criterion identifier and name

TBC

Proposed wording

Furniture and items intended for children to sleep on (such as cots, beds, stretchers or mattresses):

- are of a size that allows children using them to lie flat
- are designed to support their safety and are arranged and spaced to enable:
 - › adults to have clear access to at least one side (the length, not the width)
 - › sufficient air movement to minimise the risk of spreading illness in the area surrounding each child.
 - › children to sit or stand safely as they wake.

Why we're proposing this change

Merging related criteria should simplify compliance for providers. It should also reduce the number of criteria with which to comply.

Questions for you

1. Does the proposed wording make it clearer what kind of sleep furniture is expected for children?
2. Do you think this change helps reduce compliance pressure for your service?
3. Is it clear how sleep furniture should be arranged to keep children safe and healthy?
4. How helpful is this change for understanding what's suitable, without banning specific types of sleep furniture?

2.4.14**PF30: Mattress coverings – Sleep****Current wording**

Furniture and items intended for children to sleep on (such as cots, beds, stretchers or mattresses) that will be used by more than one child over time are securely covered with or made of a non-porous material (that is, a material that does not allow liquid to pass through it) that:

- protects them from becoming soiled
- allows for easy cleaning (or is disposable); and
- does not present a suffocation hazard to children.

PF31: Bedding – Sleep**Current wording**

Clean individual bedding (such as blankets, sheets, sleeping bags and pillowslips) is provided for sleeping or resting children that is sufficient to keep them warm.

Summary of Ministry for Regulation's recommendations

Amend PF30 and PF31 to make them easier to understand and comply with and reduce unnecessary burden.

Our response

Amend PF30 and merge with PF31

Proposed criterion identifier and name

TBC

Proposed wording

Clean individual bedding (such as blankets, sheets, sleeping bags, and pillowcases) is provided to ensure that children have adequate warmth while sleeping or resting.

Furniture and sleeping items (such as cots, beds, stretchers or mattresses) that will be used by more than one child over time are securely covered with or made of a non-porous material (that is, a material that does not allow liquid to pass through it) that:

- Protects the item from becoming soiled
- Allows for easy cleaning (or is disposable); and
- Does not present a suffocation hazard to children

Why we're proposing this change

This action goes further than the Ministry for Regulation's recommendation. It helps group together the sleep space and furniture criteria together and reduces the number of criteria to comply with. It should not affect children's health and safety outcomes.

Questions for you

1. Does the new wording make it clearer what bedding and sleep furniture services must provide?
2. Do you think combining these requirements helps reduce the number of rules your service has to follow?
3. Is it clear which sleep furniture needs to be covered in non-porous or easy-to-clean material?
4. Could the merged wording cause confusion about Health New Zealand's role in checking these requirements?

2.4.15

PF32: Sessional services only: over 2 sleep space – Sleep**Current wording**

Sessional services only

A safe and comfortable place to sleep (such as a bed, stretcher, mattress or couch) is available for children aged 2 and older that require sleep or rest during a session.

Summary of Ministry for Regulation's recommendations

Amend to make them easier to understand and comply with and reduce unnecessary burdens.

Our response

Amend PF32

Proposed wording

Sessional services only

Children aged 2 and older have a safe and comfortable place to sleep or rest, if necessary, like a bed, stretcher, or mattress.

Why we're proposing this change

Amending the wording of this criterion to make understanding and compliance easier.

Questions for you

1. Does the new wording make it clearer what sessional services need to provide for children aged 2 and over?
2. Do you agree that it makes sense to have separate sleep requirements for sessional and all-day services?
3. Is it clear what types of sleep furniture are acceptable under this revised wording?
4. Do you think removing the word 'couch' makes the examples more consistent and easier to follow?

2.4.16

PF33: All-day services only: over 2 sleep space**Current wording**

All-day services only

Space is available for children aged 2 and older to sleep or rest for a reasonable period of time each day. If the space used for sleeping or resting is part of the activity space, there are alternative activity spaces for other children not sleeping or resting as necessary.

PF34: All-day services only: over 2 sleep provisions**Current wording**

All-day services only

Furniture or items intended for children to sleep on (such as cots, beds, stretchers or mattresses) are available for the sleep or rest of children aged 2 and older.

Summary of Ministry for Regulation's recommendations

Amend PF33 and PF34 to make them easier to understand and comply with and reduce unnecessary burdens.

Our response

Amend PF33 and merge with PF34

Proposed criterion identifier and name

TBC

Proposed wording

All-day services only

Furniture or items intended for children to sleep on (such as beds, stretchers, or mattresses) are available for children aged 2 and older to sleep or rest.

Space is provided for children aged 2 and older to sleep or rest for a reasonable period each day. If the sleep or rest area is part of the activity space, alternative activity spaces are available for other children who are not sleeping or resting.

Why we're proposing this change

This action goes further than the Ministry for Regulation's recommendation. It helps group together the sleep space and furniture criteria together and reduces the number of criteria with which to comply. It should not affect children's health and safety outcomes.

Removing the reference to cots reflects that children aged 2 and above have greater independence and have different preferences to younger children.

Questions for you

1. Does the new wording clearly explain what all-day services must provide for children aged 2 and over to sleep or rest?
2. Do you think combining these requirements into one criterion makes things simpler for your service?
3. Is it clear that space must be available for both sleeping and active children during the day?
4. Do you agree that removing cots for children aged 2 and over better reflects their independence and sleep needs?

2.4.17

PF35: Sessional services only: under 2 sleep space

Current wording

Sessional services only

A designated space is available to support the provision of restful sleep for children under the age of 2 at any time they are attending. This space is located and designed to:

- minimise fluctuations in temperature, noise and lighting levels
- allow adequate supervision; and
- accommodate at least the requirements of criterion PF36, when arranged in accordance with criterion HS10.

PF36: Sessional services only: under 2 cot:child ratio

Current wording

Sessional services only

Furniture or items intended for children to sleep on (such as cots, beds, stretchers or mattresses) are provided at a ratio of at least 1 to every 5 children under the age of 2.

Summary of Ministry for Regulation's recommendations

Amend PF35 and PF36 to make them easier to understand and comply with and reduce unnecessary burdens.

Our response

Merge PF36 with PF35

Proposed criterion identifier and name

TBC

Proposed wording

Sessional services only

- 1) A designated area is available to enable restful sleep for children under the age of 2 at any time they are attending. This space is designed and located to:
 - › minimise fluctuations in temperature, noise and lighting levels; and
 - › allow adequate supervision
- 2) Provide furniture or items for sleeping (such as cots, beds, stretchers or mattresses) at a ratio of at least 1 to every 5 children under the age of 2.

Why we're proposing this change

This action goes further than the Ministry for Regulation's recommendation. It helps group together the sleep space and furniture criteria together and reduces the number of criteria to comply with. It should not affect children's health and safety outcomes.

Questions for you

1. Does the new wording clearly explain what sessional services need to provide for children under 2 to sleep or rest?
2. Do you think combining sleep space and furniture rules into one makes it easier to follow?
3. Is the ratio of 1 sleep item for every 5 children under 2 clear and reasonable?
4. Do you agree this change keeps children safe while making the rules simpler?

2.4.18**PF37: All-day services: under 2 sleep space – Sleep****Current wording**

All-day services only

A designated space is available to support the provision of restful sleep for children under the age of 2 at any time they are attending.

This space is located and designed to:

- minimise fluctuations in temperature, noise and lighting levels
- allow adequate supervision; and
- accommodate at least the requirements of criterion PF38, when arranged in accordance with criterion HS10.

PF38: All-day services: under 2 child to cot ratio – Sleep

Current wording

All-day services only

Furniture or items intended for children to sleep on (such as cots, beds, stretchers or mattresses) are provided at a ratio of at least 1 to every 2 children under the age of 2.

Summary of Ministry for Regulation's recommendations

Amend PF37 and PF38 to make them easier to understand and comply with and reduce unnecessary burdens.

Our response

Amend PF37 to merge with PF38

Proposed criterion identifier and name

TBC

Proposed wording

All-day services only

- 1) A designated area is available to enable restful sleep for children under the age of 2 at any time they are attending. This space is designed and located to:
 - › minimise fluctuations in temperature, noise and lighting levels; and
 - › allow adequate supervision
- 2) Provide furniture or items for sleeping (such as cots, beds, stretchers, or mattresses) at a ratio of at least 1 for every 2 children under the age of 2.

Why we're proposing this change

This action goes further than the Ministry for Regulation's recommendation. It helps group together the sleep space and furniture criteria together and reduces the number of criteria to comply with. It should not affect children's health and safety outcomes.

Questions for you

1. Does the new wording clearly explain what all-day services must provide for children under 2 to sleep or rest?
2. Do you think combining sleep space and furniture rules into one makes the requirement simpler to follow?
3. Is the ratio of 1 sleep item for every 2 children under 2 clear and practical for your service?
4. Do you agree that this change still supports safe and healthy sleep for children under 2?

Section 2.5

Centre-based early learning governance, management, and administration licensing criteria

2.5.1

GMA1: Display of information – Parent involvement and information

Current wording

The following are prominently displayed at the service for parents and visitors:

- the Education (Early Childhood Services) Regulations 2008, and the Licensing Criteria for early learning and Care Centres 2008;
- the full names and qualifications of each person counting towards regulated qualification requirements;
- the service's current licence certificate; and
- a procedure people should follow if they wish to complain about noncompliance with the Regulations or criteria.

Documentation required:

A procedure people should follow if they wish to complain about non-compliance with the Regulations or criteria. The procedure includes the option to contact the local Ministry of Education office and provides contact details.

Summary of Ministry for Regulation's recommendations

Amend to make easier to understand and comply with and reduce unnecessary burdens.

Our response

Amend GMA1

Proposed criterion identifier and name

TBC

Proposed wording

The following are prominently displayed at the service:

- the service's current licence certificate
- the name and contact details of a person who parents, whānau and visitors can contact for questions about the service and/or to make a complaint about the service's operation.

Why we're proposing this change

We propose amending GMA1 by removing the requirements to display the Regulations and Licensing Criteria, and the names and qualifications for adults at the service. The existing requirements contained in GMA1 will be moved to GMA2. This should give providers more flexibility.

Questions for you

1. Does the new wording clearly explain what must be displayed at the service?
2. Do you agree that this change keeps parents and whānau informed without adding extra work for services?
3. Does this change make it clear who parents and visitors can contact with questions or concerns about the service?
4. Do you think this merged requirement makes it easier to understand and meet the display rules?

2.5.2**GMA2: Parent access to information – Parent involvement and information****Current wording**

Parents are advised how to access:

- information concerning their child
- the service's operational documents (such as its philosophy, policies, and procedures and any other documents that set out how day to day operations will be conducted) and
- the most recent Education Review Office report regarding the service.

Documentation required:

Written information letting parents know how to access:

- information concerning their child
- the service's operational documents and;
- the most recent Education Review Office report regarding the service.

GMA3: Information provided to parents – Parent involvement and information

Current wording

Information is provided to parents about:

- 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; and
- any planned reviews and consultation.

Documentation required:

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, and
- about any planned reviews and consultation.

Summary of Ministry for Regulation's recommendations

Merge with other related licensing criteria to reduce unnecessary duplication.

Our response

Amend GMA2 and merge with GMA3

Proposed criterion identifier and name

TBC

Proposed wording

Parents and whānau are provided with information on how to access the following, in either written or digital format:

- the Education (Early Childhood Services) Regulations 2008,
- the Licensing Criteria for Education and Care Centres 2008
- information about any changes to the service's licence status
- the most recent Education Review Office report regarding the service
- the full names and qualifications of each person counting towards regulated qualification requirements
- the service's procedure for parents and whānau to follow if they wish to make a complaint about the service. The procedure should include details on who to contact and the contact information for the local Ministry of Education office.

- information concerning their child
- any fees charged by the service
- how they can be involved in the service
- the service's operational documents
- any planned reviews and consultation and
- the amount and details of the expenditure of any Ministry of Education funding received by the service.

Why we're proposing this change

The proposed amendment should clarify that information can be provided in written or digital format providing flexibility around how information is shared.

Question for you

1. Do you agree that combining GMA2 and GMA3 helps reduce duplication in the licensing criteria?

2.5.4

GMA4: Parent involvement – Parent involvement and information

Current wording

Parents of children attending the service and adults providing education and care are provided with opportunities to contribute to the development and review of the service's operational documents (such as philosophy, policies, and procedures and any other documents that set out how day to day operations will be conducted).

Documentation required:

Evidence of opportunities provided for parents and adults providing education and care to contribute to the development and review of the service's operational documents.

Summary of Ministry for Regulation's recommendations

Remove GMA4 and put into guidance materials because it is related to quality above the minimum standards.

Our response

Amend GMA4

Proposed wording

There is evidence in either written or digital format that parents and whānau of children attending the service and adults providing education and care have been provided with opportunities to contribute to the development and review of the service's operational documents.

Why we're proposing this change

This should provide flexibility around how information is shared with parents.

Questions for you

1. Does the proposed wording clearly explain who should be given a chance to review the service's operational documents?
2. Do you agree this change makes the requirement easier to understand and comply with?
3. Is it clear that services can provide evidence in either written or digital form?
4. Does this change help reduce confusion while still supporting parents and whānau to take part in service planning and review?

2.5.5

GMA5: Philosophy statement – Professional practices**Current wording**

A philosophy statement guides the service's operation.

Documentation required:

A written statement expressing the service's beliefs, values and attitudes about the provision of early learning and care.

Summary of Ministry for Regulation's recommendations

Remove GMA5 and put into guidance materials because it is related to quality above the minimum standards.

Our response

Remove GMA5

Proposed wording

Not applicable

Why we're proposing this change

We are proposing to remove this criterion as recommended because it relates to quality above minimum standards.

Questions for you

1. Is it clear that the intent of regulation 47 is still met without GMA5?
2. Do you think anything important would be lost by removing GMA5?

2.5.6**GMA6: Self-review and internal evaluation – Professional practices****Current wording**

An ongoing process of self-review and internal evaluation helps the service maintain and improve the quality of its education and care.

Documentation required:

A process for reviewing and evaluating the service's operation (for example, its curriculum, learning and teaching practices, philosophy, policies, and procedures) by the people involved in the service. The process is consistent with criterion GMA4/GMA3 and includes a schedule showing timelines for planned review and evaluation of different areas of operation.

Recorded outcomes from the review and evaluation process. Outcomes show how the service has regard for the Statement of National Education and Learning Priorities (NELP) in its operation.

Summary of Ministry for Regulation's recommendations

Remove GMA6 and put into guidance materials because it is related to quality above the minimum standards.

Our response

Amend GMA6

Proposed wording

There is an ongoing review process that supports the service to maintain and implement operational policies and practices.

Proposed documentation required (written or digital):

There is an ongoing process for reviewing the service's delivery of operational policies and practices.

Documentation required

- A process for reviewing the service's delivery of operational policies and practices.
- The process is consistent with criterion GMA4
- Recorded outcomes from review process

Why we're proposing this change

The proposal to amend and clarify GMA6 meets the intent of regulation 47, is clear, does not increase compliance burden, and can be used to assess compliance.

Questions for you

1. Does the new wording clarify the kind of review process services need to have in place?
2. Do you agree that removing the term 'self-review' helps reduce confusion about documentation and expectations?
3. Does this change make it easier to understand how to meet the requirement without increasing workload for services?
4. Is it clear that the review process should link to how policies and practices are delivered in the service?

2.5.7

GMA7: Human resource management – Professional practices

Current wording

Suitable human resource management practices are implemented.

Documentation required: Processes for human resource management, including:

- selection and appointment procedures
- job/role descriptions
- induction procedures into the service
- a system of regular appraisal
- provision for professional development
- a definition of serious misconduct and
- discipline/dismissal procedures.

Summary of Ministry for Regulation's recommendations

Remove GMA7 and put into guidance materials because it is related to quality above the minimum standards.

Our response

Remove GMA7

Proposed wording

Not applicable

Why we're proposing this change

We are proposing to remove this criterion as recommended.

Questions for you

1. Do you agree that removing this criterion retains important staff-related responsibilities clear for service providers?
2. Is it clear that services must still meet the requirements of regulation 47(1)(e) and regulation 56, even without this criterion?
3. Do you think this removal helps reduce duplication or confusion in the licensing criteria?
4. Do you have any concerns about removing this criterion that you think we should consider?

2.5.8**GMA8: Annual plan – Planning and documentation****Current wording**

An annual plan guides the service's operation.

Documentation required:

An annual plan identifying 'who', 'what', and 'when' in relation to key tasks the service intends to undertake each year, and how key tasks will have regard to the Statement of National Education and Learning Priorities (NELP).

Summary of Ministry for Regulation's recommendations

Remove GMA8 and put into guidance materials because it is related to quality above the minimum standards.

Our response

Amend GMA8

Proposed wording

An annual plan guides the service's operation.

Note: this criterion only applies in respect of the Secretary's assessment of probationary applications where the applicant does not hold a current licence and applications to amend a licence where the different legal entity does not hold a current licence.

Proposed documentation required:

An annual plan identifying 'who', 'what', and 'when' in relation to key tasks the service intends to undertake each year.

Why we're proposing this change

The proposed change should help support the ongoing sustainability of new services. A high-level plan should make sure key tasks are planned and implemented during a service's first year of operation.

Questions for you

1. Does the new wording make it clear that the annual plan requirement only applies to new or probationary applicants?
2. Do you agree this change reduces unnecessary compliance for established services that already hold a licence?
3. Is it clear what kind of information should be included in the annual plan (i.e. who, what, when)?
4. Do you think this change still helps manage risks related to new providers entering the sector?

2.5.9**GMA9: Annual budget – Planning and documentation****Current wording**

An annual budget guides financial expenditure

Documentation required:

- An annual budget setting out the service's estimated revenue and expenses for the year. The budget includes at least:
- staffing costs, including leave entitlements
- professional development costs

- equipment and material costs for the ongoing purchase of new equipment and consumable materials and
- provision for operational costs (such as electricity, telephone, food purchases and other day-to-day items) and maintenance of the premises as appropriate.

Summary of Ministry for Regulation's recommendations

Remove GMA9 and put into guidance materials because it is related to quality above the minimum standards.

Our response

Amend GMA10

Proposed wording

An annual budget guides financial expenditure.

Note: this criterion only applies in respect of the Secretary's assessment of probationary applications where the applicant does not hold a current licence and applications to amend a licence where the different legal entity does not hold a current licence.

Proposed documentation required:

An annual budget setting out the service's estimated revenue and expenses for the year. The budget includes at least:

- staffing costs, including leave entitlements
- professional development costs
- equipment and material costs for the ongoing purchase of new equipment and consumable materials and
- provision for operational costs (such as electricity, telephone, food purchases and other day-to-day items) and maintenance of the premises as appropriate.

Why we're proposing this change

The proposed change should help support the ongoing sustainability of new services. A high-level budget should help guide operations during a service's first year.

Questions for you

1. Does the new wording make it clear that the annual budget requirement only applies to new or probationary licence applicants?
2. Do you agree this change reduces unnecessary paperwork for services that already hold a licence?
3. Is it clear what should be included in the annual budget (e.g. staffing, equipment, operating costs)?
4. Do you think requiring a budget helps show that new services are likely to be well-managed?

2.5.10

GMA10: Enrolment records – Planning and documentation**Current wording**

Enrolment records are maintained for each child attending. Records are kept for at least 7 years.

Documentation required:

Enrolment records for each child currently attending and for those who have attended in the previous 7 years. Records meet the requirements of the early learning Funding Handbook and include at least:

- the child's full name, date of birth, and address
- the name and address of at least 1 parent
- details of how at least 1 parent (or someone nominated by them) can be contacted while the child attends the service
- the name of the medical practitioner (or medical centre) who should, if practicable, be consulted if the child is ill or injured
- details of any chronic illness/condition that the child has, and of any implications or actions to be followed in relation to that illness/condition
- the names of the people authorised by the parent to collect the child; and
- any court orders affecting day to day care of, or contact with, the child.

GMA11: Attendance records – Planning and documentation**Current wording**

An attendance record is maintained that shows the times and dates of every child's attendance at the service. Records are kept for at least 7 years.

Documentation required:

An attendance record that meets the requirements outlined in the ECE Funding Handbook for children currently attending, and children who have attended in the previous 7 years.

Summary of Ministry for Regulation's recommendations

Amend GMA10 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Merge GMA11 with GMA10

Proposed criterion identifier and name

TBC

Proposed wording

Enrolment and attendance records are maintained for each child attending. Records are kept for at least 7 years.

Proposed documentation required:

Enrolment and attendance records for each child currently attending and for those who have attended in the previous 7 years.

Records meet all the requirements of the ECE Funding Handbook.

Why we're proposing this change

The requirements around signatures for enrolment records are set in the Early Learning Funding Handbook.

Questions for you

1. Do you agree that merging GMA10 and GMA11 helps reduce duplication in the licensing criteria?
2. Is it clear that enrolment and attendance records must be kept for at least 7 years?
3. Does this change make it easier to understand what records are required and for how long?
4. Do you think this change makes compliance simpler without removing important expectations?

Section 3


Home-based early learning

health and safety licensing

criteria

You may notice several symbols in this discussion document which reflect content contained in the original licensing criteria. We describe what these symbols mean below and will include shortened descriptions alongside criteria in the discussion document.

Symbols contained in this document

Requirements	
Flag Symbol 	Indicates a criterion that applies to services which include a home or homes that have children receiving out-of-school care (as defined in the interpretation section) in the home while the licensed home-based ECE service is being provided

Section 3.1

Summary of **proposed changes to home-based** early learning services licensing criteria

Below you can find information about criteria that are proposed to be amended, merged, or removed. Criteria to be retained may be found in Section 2B.

Licensing Criterion	Details	Proposed change	Discussion document section
Health and safety			
HS1	Premises and contents are safe and hygienic	Amend	3.3.1
HS10	Storage of sleep furniture and bedding	Merge	
HS2	Hygienic laundering	Amend	3.3.2
HS4	Emergency plan and supplies	Amend	3.3.3
HS5	Safe assembly areas	Merge	
HS6	Securing furniture	Merge	3.3.4
HS11	Hazard management	Amend	
HS7	Emergency Drills	Amend	3.3.5
HS9 (See PF20)			3.4.6
HS13	Animals	Amend	3.3.6
HS14	Excursions	Amend	3.3.7
HS16	Food and nutrition	Amend	3.3.8
HS18	Availability of water	Merge	
HS17 (See PF13)			3.4.5
HS19	Supervision while eating	Amend	3.3.9
HS 21	Room temperature	Amend	3.3.10
HS22	First aid qualifications	Amend	3.3.11
HS25	Medicine administration	Amend	3.3.12
HS26	Medicine administration training	Amend	3.3.13
HS28	Child protection	Amend	3.3.14
HS33	Incident notification to the Ministry of Education	Amend	3.3.15

Licensing Criterion	Details	Proposed change	Discussion document section
Premises and facilities			
PF1	Design and layout of the premises	Amend	3.4.1
PF2	Premises support effective supervision	Merge	
PF4	Variety of equipment	Amend	3.4.2
PF5	Infant toddler safe space	Amend	3.4.3
PF10	Room temperature, lighting, ventilation	Amend	3.4.4
HS17	Food hygiene	Amend	3.4.5
PF13	Kitchen facilities		
PF15	First Aid Kit	Amend	3.4.6
PF20	Design of sleep provisions	Amend	3.4.7
PF21	Mattress coverings	Amend	3.4.8
PF22	Bedding		
Governance, management, and administration			
GMA1	Parent access to information	Amend	3.5.1
GMA2	Information provided to parents	Merge	
GMA3	Opportunities to review	Amend	3.5.2
GMA4	Philosophy statement	Remove	3.5.3
GMA5	Self-review and Internal Evaluation	Amend	3.5.4
GMA6	Human resource management	Remove	3.5.5
GMA7	Annual plan	Amend	3.5.6
GMA8	Annual budget	Amend	3.5.7
GMA9	Enrolment and attendance records	Amend	3.5.8
GMA10	Attendance records	Merge	

Section 3.2

Summary of **retained home-based** early learning services licensing criteria

The licensing criteria below will be retained or are out of scope for consideration in this consultation.

Licensing Criterion	Details
Health and safety	
HS3	Nappy changing procedure
HS8	Sleep monitoring
HS12	Noise levels
HS15	Travel by motor vehicle
HS20	Bottle feeding
HS23	Response to infectious illness
HS24	Medical assistance and incident management
HS27	Children washed when soiled
HS29	Inappropriate material
HS30	Use of alcohol and other substances by coordinators and educators
HS31	Use of alcohol and other substances by other people at the home
HS32	Smoking
HS34	Supervision
Premises and facilities	
PF3	Building Act compliance
PF6	Flooring
PF7	Storage
PF8	Art sink
PF9	Telephone
PF11	Outdoor activity space
PF12	Dining facilities
PF14	Isolation area
PF16	Toilets and handwashing facilities
PF17	Nappy change facilities
PF18	Body wash facilities
PF19	Sleep facilities
Governance, management, and administration	
GMA6A	Safety checking
GMA11	Availability of documentation

Section 3.3

Home-based early learning **health and safety** licensing criteria

3.3.1

HS1: Premises and contents are safe and hygienic - Hygiene

Current wording

Premises, furniture, furnishings, fittings, equipment, and materials for the use of children attending are kept safe, hygienic, and maintained in good condition.

HS10: Storage of sleep furniture and bedding – Sleep

Current wording

If not permanently set up, furniture or items intended for children to sleep on (such as cots, beds, stretchers or mattresses) and bedding is hygienically stored when not in use.

Proposed wording

Premises, furniture, furnishings, fittings, equipment, materials, and sleeping items (such as mattresses, and bedding) are kept safe, clean, well-maintained, and hygienically stored when not in use.

Why we're proposing this change

We believe this proposed change will reduce unnecessary duplication while still meeting the intent of both HS1 and HS10.

Proposed criterion identifier and name

TBC: Premises and contents are safe and hygienic

Questions for you

1. Do you think the proposed change reduces duplication?
2. Does the proposed change meet the intent of the original criteria?
3. Does this change support health and safety?

3.3.2

HS2: Laundering - Hygiene

Current wording

Linen used by children or adults is hygienically laundered.

Documentation required:

A procedure for the hygienic laundering (off-site or on-site) of linen used by the children or adults.

Proposed criterion identifier and name

TBC Hygienic laundering

Proposed wording

Linen used by children or adults is hygienically laundered off-site or on-site.

Why we're proposing this change

We reviewed these criteria and the draft text in consultation with Health New Zealand. We believe this proposed change will reduce unnecessary burden while maintaining the requirement for hygienic laundry practices.

1. Is the proposed new wording clear and easy to understand?
2. Does this change continue to support health and safety?

3.3.3

HS4: Emergency plan and supplies – Emergencies

Current wording

There are a written emergency plan and supplies to ensure the care and safety of the children and educator at the home and when away from the home. The plan must include evacuation procedures that apply in a variety of emergency situations and that are relevant to the home.

🚩 The written emergency plan must also include out-of-school care children if out-of-school care is being provided in the home.

If the home is in a building that has an approved fire evacuation scheme, the evacuation procedures must be consistent with that scheme.

Documentation required:

A written emergency plan that includes at least:

- An evacuation procedure for the premises.
- A list of safety and emergency supplies and resources sufficient for the age and number of children and adults present in the home and details of how these will be maintained and accessed in an emergency.
- A communication plan for families and support services.
- Evidence of review of the plan on, at least, an annual basis.
- Implementation of improved practices as required.

HS5: Fire evacuation scheme – Safe assembly areas

Current wording

Designated assembly areas for evacuation purposes outside the building keep children safe from further risk.

Proposed criterion identifier and name

TBC Hygienic laundering

Proposed wording

There is a written emergency plan and supplies to ensure the care and safety of the children and educator at the home and when away from the home.

The plan must include evacuation procedures that are specific to the home and the types of emergencies that are relevant to its location and context

🚩 The written emergency plan must also include out-of-school care children if out-of-school care is being provided in the home.

If the home is in a building that has an approved fire evacuation scheme, these procedures must align with that scheme.

Documentation required (written or digital)

A written emergency plan that includes at least:

- An evacuation procedure for the premises.
- Designated assembly areas for evacuation purposes outside the building that helps keep children and adults safe from further risk
- A list of safety and emergency supplies and resources sufficient for the age and number of children and adults present in the home and details of how these will be maintained and accessed in an emergency.

- A communication plan for families and support services; and
- Evidence of review of the plan on an, at least, annual basis and implementation of improved practices as required.

Why we're proposing this change

We believe this proposed change will reduce unnecessary duplication while still meeting the intent of both HS4 and HS5.

Questions for you

1. Do you think the proposed change reduces duplication?
2. Do you think this change make it easier for services to meet compliance?

3.3.4

HS6: Securing furniture – Hazards and outings

Current wording

Heavy furniture, fixtures and equipment that could fall or topple and cause serious injury or damage are secured.

HS11: Hazard management – Hazards and outings

Current wording

Equipment, premises and facilities are checked on every day of operation for hazards to children. Accident/incident records are analysed to identify hazards and appropriate action is taken. Hazards to the safety of children are eliminated, isolated or minimised.

Consideration of hazards must include but is not limited to:

- cleaning agents, medicines, poisons, and other hazardous materials
- electrical sockets and appliances (particularly heaters)
- hazards present in kitchen or laundry facilities
- vandalism, dangerous objects, and foreign materials (for example broken glass, animal droppings)
- the condition and placement of learning, play and other equipment
- windows and other areas of glass
- poisonous plants; and
- bodies of water.

Documentation required:

A documented risk management system.

Proposed criterion identifier and name

TBC – Hazard Management

Proposed wording

A risk assessment and management system (RAMS) in place that ensures:

- 1) On every day of operation, equipment, premises and facilities are checked for hazards to children.

These include but are not limited to:

- cleaning agents, medicines, poisons, and other hazardous materials
 - electrical sockets and appliances
 - hazards present in kitchen or laundry facilities
 - vandalism, dangerous objects, and foreign materials
 - the condition and placement of learning, play and other equipment
 - windows and other areas of glass
 - poisonous plants
 - bodies of water; and
 - heavy furniture, fixtures and equipment that could fall or topple and cause serious injury or damage are secured.
- 2) Hazards are eliminated, isolated or minimised.
 - 3) Accident/incident records are analysed to identify hazards and appropriate action is taken.

Documentation required (written or digital)

A documented risk assessment and management system.

Why we're proposing this change

We believe this proposed change will reduce duplicate criteria and improve safety through daily safety checks.

Questions for you

1. Do you believe the proposed change reduces duplication?
2. Do you believe the proposed change improves safety?
3. Does the proposed change increase compliance burden on service providers?

3.3.5

HS7: Emergency drills**Current wording**

Adults providing education and care are familiar with relevant emergency drills and carry out each type of drill with children (as appropriate) on an, at least, 3-monthly basis.

Documentation required:

A record of the emergency drills carried out and evidence of how evaluation of the drills has informed the annual review of the service's emergency plan.

Summary of Ministry for Regulation's recommendations

Amend HS7 to make it easier to understand and comply with and reduce unnecessary burden.

Our response

Amend HS7

Proposed wording

Adults providing education and care are familiar with relevant emergency drills and carry out each type of drill with children (as appropriate) on an, at least, 4-monthly basis.

Documentation required (written or digital)

A record of the emergency drills carried out and evidence of how evaluation of the drills has informed the annual review of the service's emergency plan.

Why we're proposing this change

We believe this proposed change should reduce unnecessary burden. This change should also give providers greater flexibility for when they hold drills while also supporting best practice of holding drills.

Questions for you

1. Does the proposed change help you understand what you need to do to be compliant?
2. Does the proposed change reduce unnecessary burden?
3. Will the proposed change give more flexibility to service providers?

3.3.6

HS13: Animals

Current wording

Safe and hygienic handling practices are implemented with regard to any animals. All animals on the premises are able to be restrained.

Proposed criterion identifier and name:

TBC – Animals

Proposed wording

Safe and hygienic practices are implemented with regard to any animals at the service (such as thorough handwashing after handling animals and ensuring animals can be kept separate from food preparation/eating spaces). All animals are able to be restrained if they pose a risk to children.

Why we're proposing this change

We believe this proposed change will improve provider understanding and compliance while reducing unnecessary burden to benefit overall health and safety.

Questions for you

1. Is the new wording clear about what services need to do to manage animals safely and hygienically?
2. Do you think this change makes it easier for services to understand and follow the requirement?
3. Does the proposed wording reduce unnecessary compliance burden while still protecting children's health and safety?

3.3.7

HS14: Excursions – Hazards and outings

Current wording

Whenever children leave the premises on an excursion:

- assessment and management of risk is undertaken
- a supervision plan specific to the excursion is developed and implemented
- parents have given prior written approval of their child's participation
 - › for regular excursions at the time of enrolment and
 - › for special excursions prior to the excursion taking place and
- there are communication systems in place so that people know where the children are, and the educator can communicate with others as necessary.

Documentation required:

A record of excursions that includes:

- the names of adults and children involved
- the time and date of the excursion
- the location and method of travel
- the excursion supervision plan
- assessment and management of risk
- evidence of parental permission for regular excursions at the time of enrolment and
- evidence of parental permission for special outings or excursions.

Proposed criterion identifier and name:

TBC – Excursions

Proposed wording

Whenever children leave the premises on an excursion:

- a risk assessment and management process (RAMS) is undertaken
- a supervision plan specific to the excursion is developed and implemented
- parents have given prior written approval of their child's participation, location and method of travel
 - › for regular excursions at the time of enrolment and
 - › for special excursions prior to the excursion taking place
- communication systems in place so that people know where the children are, and the educator can communicate with others as necessary.

Documentation required (written or digital)

A record of excursions that includes:

- the names of adults and children involved
- the time and date of the excursion
- the excursion supervision plan
- the location and method of travel
- completed risk assessment and management plan (RAMS); and
- evidence of parental permission and approval of location and method of travel for regular and special outings or excursions.

Why we're proposing this change

The proposed change should help clarify expectations that providers document evidence of parental permission, including approval of the location to be visited and method of travel for both regular and special excursions.

We believe this proposed change will improve provider understanding and compliance while reducing unnecessary burden to benefit overall health and safety.

Questions for you

1. Does the proposed change give better clarity on what providers are expected to document when leaving the premises?
2. Will this proposed change reduce unnecessary burden?
3. Will this amended criterion give better clarity to parents and whānau?

3.3.8**HS16: Food and nutrition – Food and drink****Current wording**

Food is served at appropriate times to meet the nutritional needs of each child while they are attending. Where food is provided by the service, it is of sufficient variety, quantity and quality to meet the nutritional and developmental needs of each child. Where food is provided by parents, the service encourages and promotes healthy eating guidelines.

Documentation required:

A record of all food served during the service's hours of operation (other than that provided by parents for their own children). Records show the type of food provided and are available for inspection for 3 months after the food is served.

HS18: Drinking water – Food and drink

Current wording

An ample supply of water that is fit to drink is available to children at all times, and older children are able to access this water independently.

Proposed criterion identifier and name:

TBC – Nutrition

Proposed wording

An ample supply of water that is fit to drink is available to children at all times, and older children are able to access this water independently.

Food is served at appropriate times to meet the nutritional needs of each child while they are attending. Where food is provided by the service, it is of sufficient variety, quantity and quality to meet the nutritional and developmental needs of each child. Where food is provided by parents, the service encourages and promotes healthy eating guidelines.

Documentation required (written or digital)

A record of all food served during the service's hours of operation (Excluding food provided by parents for their own children). Records show the type of food provided and are available for inspection for 3 months after the food is served.

Why we're proposing this change

We believe this proposed change will reduce unnecessary duplication while still meeting the intent of both HS16 and HS18.

Questions for you

1. Does the proposed change reduce the burden for providers?
2. Does the proposed change make it clear what providers need to do to meet compliance requirements?
3. Is the proposed wording easy to understand?

3.3.9

HS19: Supervision while eating – Food and drink

Current wording

Children are supervised and seated while eating.

Where food is provided by the service, foods that pose a high choking risk are not to be served unless prepared in accordance with best practice as set out in Ministry of Health's guide: Reducing food-related choking for babies and young children at early learning services.

[Reducing food-related choking for babies and young children at early learning services – Ministry of Health](#)

Where food is provided by parents, the service promotes best practices as set out in the Ministry of Health's guide and must provide to all parents at the time of enrolment a copy of the pamphlet: Reducing food-related choking for babies and young children at early learning services.

Proposed criterion identifier and name:

TBC Supervision while eating

Proposed wording

Children are supervised and are seated while eating. The educator must be in close proximity to children (but is not required to be seated).

Where food is provided by the service, foods that pose a high choking risk are not to be served unless prepared in accordance with best practice as set out in Ministry of Health's guide: Reducing food-related choking for babies and young children at early learning services.

[Reducing food-related choking for babies and young children at early learning services – Ministry of Health](#)

Where food is provided by parents, the service promotes best practices as set out in the Ministry of Health's guide and must inform all parents at the time of enrolment how to access a copy of the guide: Reducing food-related choking for babies and young children at early learning services.

[Reducing-food-related-choking-pamphlet-print.pdf](#)

Why we're proposing this change

We believe service providers should have flexibility to share Health New Zealand guidance with parents in a way that suits them.

We believe this proposed change reduces unnecessary burden while maintaining overall health and safety.

Questions for you

1. Does the proposed wording clearly explain what supervision is required while children are eating?
2. Do you think this change gives services more flexibility while still supporting children's safety?
3. Is it clear what services must do when food is provided by parents' vs when it's provided by the service?
4. Do you think this change reduces unnecessary burden for services?

3.3.10**HS21:** Room temperature – Child health and wellbeing**Current wording**

Rooms used by children are kept at a comfortable temperature no lower than 18°C (at 500mm above the floor) while children are attending.

Proposed criterion identifier and name:

TBC Room temperature

Proposed wording

Maintain a comfortable temperature in rooms used by children (no lower than 18°C at 500mm above the floor), allowing for fluctuating temperatures for brief periods.

Why we're proposing this change

Allowing for fluctuating temperatures for brief periods acknowledges that temporary dips in temperature (like when a door is briefly opened) are acceptable, as long as the overall environment remains comfortable, and the temperature only lowers for brief periods of time.

Questions for you

1. Does the new wording make it clear what temperature services need to maintain in children's spaces?
2. Do you think allowing brief fluctuations in temperature makes the requirement more practical?
3. Does this change reduce unnecessary burden while still supporting children's health and wellbeing?

3.3.11

HS22: First aid qualifications

Current wording

There is an adult present, at all times while children are attending, who:

- holds a current First Aid qualification gained from a New Zealand Qualification Authority accredited first aid training provider or
- is a registered medical practitioner or nurse with a current practising certificate or
- is a qualified ambulance officer or paramedic.

If access to first aid training is limited due to circumstances beyond the service provider's control, the service provider must ensure that educators have knowledge of first aid and gain a first aid qualification within 4 months of starting work at the service

If a child is injured, any required first aid is administered or supervised by an adult meeting these requirements.

Documentation required:

- 1) Copies of current first aid (or medical practising) certificates for adults counting towards this requirement.
- 2) Where access to first aid training for an educator is limited, a record of the actions taken by the service provider to ensure the educator has knowledge of first aid and achieves a first aid qualification within 4 months of starting at the service.

Proposed criterion identifier and name:

TBC First aid qualifications

Proposed wording

There is an adult present at all times while children are attending, who:

- holds a current first aid qualification gained from a New Zealand Qualification Authority accredited first aid training provider; or
- is a registered medical practitioner, nurse or midwife with a current practising certificate; or
- is a qualified ambulance officer or paramedic.

If access to first aid training is limited due to circumstances beyond the service provider's control, the service provider must ensure that educators have knowledge of first aid and gain a first aid qualification within 4 months of starting work at the service.

If a child is injured, any required first aid is administered or supervised by an adult meeting these requirements

Documentation required:

Copies of current first aid (or medical practising) certificates for adults counting towards this requirement.

Where access to first aid training for an educator is limited, a record of the actions taken by the service provider to ensure the educator has knowledge of first aid and achieves a first aid qualification within 4 months of starting work at the service

Why we're proposing this change

The proposed amendment allows a qualified midwife to be included.

Questions for you

1. Do you believe the intent of the original criterion is met with amended criterion?
2. Will this proposed change make it easier for services to comply with the criterion?
3. Will this amended criterion meet the needs of parents and whānau?
4. Does the amended criterion support health and safety?

3.3.12

HS25: Medicine administration – Child health and wellbeing

Current wording

Medicine (prescription and non-prescription) is not given to a child unless it is given:

- by doctor or ambulance personnel in an emergency or
- by the parent of the child or
- with the written authority (appropriate to the category of medicine) of a parent.

Medicines are stored safely and appropriately, and are disposed of, or sent home with a parent (if supplied in relation to a specific child) after the specified time.

Documentation required:

- 1) A record of the written authority from parents for the administration of medicine in accordance with the requirement for the category of medicine outlined in Appendix 2.

[Appendix 2: Categories of medicine for criterion HS25](#)

- 2) A record of all medicine (prescription and non-prescription) given to children attending the service. Records include:

- › name of the child
- › name and amount of medicine given
- › date and time medicine was administered and by whom and
- › evidence of parental acknowledgement.

[Appendix 2: Categories of medicine for criterion HS25](#)

Proposed criterion identifier and name:

TBC Medicine administration

Proposed wording

Medicine (prescription and non-prescription) is not given to a child unless it is given:

- by a doctor or ambulance personnel in an emergency or
- by the parent of the child or
- with the written authority (appropriate to the category of medicine) of a parent.

Before an adult at the service administers medication, the person must check the medication, dosage and time reflects the parent's authorisation.

Medicines are stored safely and appropriately, and are disposed of, or sent home with a parent (if supplied in relation to a specific child) after the specified time.

Documentation required (written or digital)

- 1) A record of the written authority from parents for the administration of medicine in accordance with the requirement for the category of medicine outlined in Appendix 2.
- 2) Appendix 2: Categories of medicine for criterion HS25
- 3) A record of all medicine (prescription and non-prescription) given to children attending the service. Records include:
 - › child's full name
 - › name and amount of medicine given
 - › date and time medicine was administered and by whom and
 - › evidence of parental acknowledgment

Appendix 2 revised

Category (i) medicines (new)

Definition

A prescription (such as antibiotics, eye/ear drops and so on) or non-prescription (such as paracetamol liquid, cough syrup and so on) medicine that is:

- used for a specific period of time to treat a specific condition or symptom and

- provided by a parent for the use of that child only or, in relation to Rongoa Māori (Māori plant medicines), that is prepared by other adults at the service.

Authority and acknowledgment required (written or digital)

A written authority from a parent at the beginning of the period the medicine is intended to be administered, detailing:

- what (name of medicine)
- how (method and dose) and
- when (time or specific symptoms/circumstances) medicine is to be given.
- Renew authorisation if period needs to be extended, or if circumstances change.
- Each day, parents acknowledge that their child has received their medication, and confirmation should be recorded.

Category (ii) medicines (new)

Definition

A prescription (such as asthma inhalers, epilepsy medication and so on) or non-prescription (such as antihistamine syrup, lanolin cream and so on) medicine that is:

- used for the ongoing treatment of a pre-diagnosed condition (such as asthma, epilepsy, allergic reaction, diabetes, eczema and so on) and
- provided by a parent for the use of that child only.

Authority and acknowledgment required (written or digital)

A written authority from a parent given at enrolment as part of an individual health plan, or whenever there is a change, detailing:

- what (name of medicine)
- how (method and dose) and
- when (time or specific symptoms/circumstances) the medicine should be given.

The frequency of parental acknowledgment can be agreed between service provider and parents.

Why we're proposing this change

We have worked with Health New Zealand and jointly agree that holding EpiPens and asthma medicine for children not known to require this emergency medication does not improve child health and safety.

Additionally:

- » Information about first aid administration will still be given to parents under HS24.
- » Information about child allergies will continue to be recorded under GMA9.

These separate, existing criteria when viewed together give assurance that there is no increased health, safety, or wellbeing risk from removing parental authority for Category 1 medicines.

We believe this proposed change will reduce unnecessary burden while also encouraging communication between providers and parents while also maintaining child health and safety.

Questions for you

1. Does the new wording make it easier to understand when and how medicine can be given to children?
2. Do you think this change helps reduce unnecessary compliance burden for services?
3. Is it clear what documentation is needed for different types of medicine?
4. Does the updated requirement support children's health and safety during emergencies and daily care?

3.3.13

HS26: Medicine training – Child, health and wellbeing

Current wording

Adults who administer medicine to children (other than their own) are provided with information and/or training relevant to the task.

Documentation required:

A record of training and/or information provided to adults who administer medicine to children (other than their own) while at the service.

Proposed criterion identifier and name:

TBC Medicine training

Proposed wording

Adults responsible for administering medicine to children (other than their own) are provided with the necessary information, training, or instruction to do so safely and effectively. This may be from the child's parent or whānau, or health professional, as appropriate.

Why we're proposing this change

Provides further clarity around information and/or training requirements.

Questions for you

1. Do you think the intent of the original criterion is met with amended criterion?
2. Will this proposed change make it easier for services to comply with the amended criterion?
3. Will this amended meet the needs of family and whānau?
4. Does the amended criterion support health and safety?

3.3.14

HS28: Child protection – Child protection

Current wording

There is 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, and information about how the service will keep children safe from abuse and neglect, and how it will respond to suspected child abuse and neglect.

The policy must be reviewed every 3 years.

Documentation required:

- 1) A written child protection policy that contains:
 - › provisions for the service's identification and reporting of child abuse and neglect
 - › information about the practices the service employs to keep children safe from abuse and neglect and
 - › information about how the service will respond to suspected child abuse and neglect.
- 2) A procedure that sets out how the service will identify and respond to suspected child abuse and/or neglect.

Proposed criterion identifier and name:

TBC Child protection

Proposed wording

A written child protection policy and procedure is implemented that meets the requirements of the Children's Act 2014. The policy and procedure contain provisions for:

- the identification and reporting of child abuse and neglect
- information about how the service will keep children safe from abuse and neglect
- how the service will respond to suspected child abuse and neglect.

The policy and procedure must be reviewed every 3 years to assess how well it has supported or would support the service's response to child abuse and neglect.

Documentation required (written or digital)

- 1) A child protection policy that contains:
 - › provisions for the service's identification and reporting of child abuse and neglect
 - › information about the practices the service employs to keep children safe from abuse and neglect and
 - › information about how the service will respond to suspected child abuse and neglect.
- 2) A procedure that sets out how the service will identify and respond to suspected child abuse and/or neglect.
- 3) Evidence the service has reviewed the policy and procedure every three years. As part of the review, the service must evaluate how well the policy and procedure works using at least one example of either:
 - › how well the policy and procedure supported the service to respond to an actual event; or
 - › how well the policy and procedure would support the service to respond using a hypothetical scenario.

Why we're proposing this change

We have suggested this proposed change based on recommendations contained in the 2024 Poutasi report to help protect children from harm.

Questions for you

1. Do you think the intent of the original criterion is still met with the amended criterion?
2. Will this proposed change make it easier for services to comply with the criterion?
3. Will this amended criterion meet the needs of family and whānau?
4. Does the amended criterion support health and safety?

3.3.15**HS33:** Incident notification to the Ministry of Education – Notification**Current wording**

Where there is a serious injury or illness or incident involving a child while at the service that is required to be notified to a specified agency, the service provider must also notify the Ministry of Education at the same time.

Documentation required:

A copy of the notification sent to the specified agency.

Proposed criterion identifier and name:

TBC Incident notification to the Ministry of Education

Proposed wording

- 1) The Ministry of Education must be notified at the same time as any specified agencies when there is a serious injury, illness, or incident involving a child while at the service.
- 2) The Ministry must also be notified as soon as possible if the service's child protection policy requires a notification to any agency (such as Oranga Tamariki or Police) relating to a child while attending the service.
- 3) The Ministry of Education must also be notified as soon as possible of the following incidents:
 - › A child leaves the premises without the knowledge of an adult, regardless of the duration.
 - › A child is locked inside the premises after operating hours.
 - › A child is taken from the service by someone not authorised in writing to do so.
 - › A child is left behind or goes missing during an excursion.

Documentation required (written or digital)

A copy of the notification sent to any specified agency and summary of any notification or report of concern sent to Oranga Tamariki or NZ Police.

Where applicable, a copy of the service's investigation into the incident, including recorded outcomes and any supporting documentation.

Why we're proposing this change

We have suggested this proposed change based on recommendations contained in the 2024 Poutasi report and to be clearer about the situations where a notification should be made.

Questions for you

1. Do you think the intent of the original criterion is still met with the amended criterion?
2. Will this proposed change make it easier for services to comply with the amended criterion?
3. Will this amended criterion meet the needs of family and whānau?
4. Does the amended criterion support health and safety?

Section 3.4

Home-based early learning **premises and facilities** licensing criteria

3.4.1

PF1: The design and layout of premises – General

Current wording

The design and layout of the premises:

- support the provision of different types of indoor and outdoor experiences and
- include quiet spaces, areas for physically active play, and space for a range of individual and group learning experiences appropriate to the number, ages, and abilities of children attending.

PF2: Premises support effective supervision – General

Current wording

The design and layout of the premises support effective adult supervision so that children's access to indoor and outdoor spaces is not unnecessarily limited.

Proposed criterion identifier and name

TBC

Proposed wording

The design and layout of the premises:

- support the provision of different types of indoor and outdoor experiences;
- support effective adult supervision so that children's access to indoor and outdoor spaces is not unnecessarily limited; and
- include quiet spaces, areas for physically active play, and space for a range of individual and group learning experiences appropriate to the number, ages, and abilities of children attending.

Why we're proposing this change

The proposed amendment reflects MfR's recommendation. The broad wording gives providers flexibility to configure the physical environment to suit differing curriculum priorities.

Questions for you

1. Does the proposed wording make it clear how the design and layout should support different types of learning and play?
2. Do you think this change supports services to create learning environments that work for children of different ages and abilities?
3. Do you think the proposed wording makes it easier to understand what's required, without creating unnecessary burden?

3.4.2**PF4: Variety of equipment available – General****Current wording**

A variety of equipment and materials is provided that is appropriate for the learning and abilities of the children attending.

Proposed wording

A variety of equipment and materials is provided to ensure children have timely access to appropriate learning, challenges experiences, and opportunities that support their developmental stages, abilities, and current and emerging interests.

Why we're proposing this change

Clarifying expectations will help services understand the intent behind PF4 and may improve compliance.

Questions for you

1. Does the proposed wording support the need to provide for children's different ages, abilities, and interests?
2. Do you think this change will improve understanding and compliance without adding extra burden?

3.4.3

PF5: Infant toddler safe space – General

Current wording

If infants, toddlers or children not walking attend, there are safe and comfortable (indoor and outdoor) spaces for them to lie, roll, creep, crawl, pull themselves up, learn to walk, and to be protected from more mobile children.

Proposed wording

If infants, toddlers or children not walking attend, there are safe and comfortable (indoor and outdoor) spaces for them to lie, roll, creep, crawl, pull themselves up, learn to walk, and to be protected from more mobile children. This does not prohibit infants and toddlers from moving throughout the premises learning alongside older children.

Why we're proposing this change

The clarification may ease the burden for providers, particularly if there was a misunderstanding that younger and older children must always be separated.

Questions for you

1. Does the new wording make it clearer what's expected for keeping non-walking children safe?
2. Do you think the new wording helps clear up any confusion about separating younger and older children?
3. How easy would it be for your service to follow this new wording in practice?
4. Could this change reduce pressure or worry for your service about how to meet this requirement?

3.4.4

PF10: Heating, lighting, ventilation – General

Current wording

Parts of the home used by children have:

- lighting (natural or artificial) that is appropriate to the activities offered or purpose of each room
- ventilation (natural or mechanical) that allows fresh air to circulate (particularly in sanitary and sleep areas) and
- a safe and effective means of maintaining a room temperature of no lower than 18°C.

Proposed wording

Parts of the home used by children have:

- lighting (natural or artificial) that is appropriate to the activities offered or purpose of each room
- ventilation (natural or mechanical) that allows sufficient fresh air to circulate (particularly in sanitary and sleep areas) and
- a safe and effective means of maintaining a comfortable room temperature.

Why we're proposing this change

We have amended PF10 to be clear that there should be a safe and effective means of maintaining a comfortable room temperature.

Questions for you

1. Does the new wording clearly explain what's required for lighting, ventilation, temperature, and noise control in children's spaces?
2. Do you think removing the separate temperature requirement helps reduce duplication?
3. Is it clear how services can maintain a comfortable indoor environment for children?
4. Do you think this change supports children's health, comfort, and learning without increasing compliance burden?

3.4.5

HS17: Food hygiene – Food and drink

Current wording

Food is prepared, served and stored hygienically.

PF13: Kitchen facilities – Food preparation and eating spaces

Current wording

There are facilities for the hygienic preparation, storage and/or serving of food and drink that contain:

- a means of keeping perishable food at a temperature at or below 4°C and protected from vermin and insects
- a means of cooking and/or heating food
- a means of hygienically washing dishes
- a sink connected to a hot water supply
- storage; and
- food preparation surfaces that are impervious to moisture and can be easily maintained in a hygienic condition.

Proposed wording

Services ensure that facilities used to prepare, serve, and store food and drink are hygienic and suitable for purpose. These facilities must include:

- a means of keeping perishable food at or below 5°C
- a means of keeping all foods protected from pests
- a means of cooking and/or heating food to safe temperatures
- a means of hygienically washing dishes
- a sink connected to a hot water supply
- adequate and suitable storage for food, utensils, and equipment; and
- food preparation surfaces that are easily maintained in a hygienic condition.

Why we're proposing this change

We propose amending PF13 to reflect updated guidance from the Ministry for Primary Industries.

Questions for you

1. Does the new wording make it clearer as to which services this rule applies?
2. Does the change help your service understand what food and drink facilities are required if you're not part of National Programme 2 (NP2)?
3. Do you think keeping PF15 separate helps avoid confusion or unintended problems for your service?

PF15: First aid kit**Current wording:**

There is a first aid kit that:

- complies with the requirements of Appendix 1
- is easily recognisable and readily accessible to adults; and
- is inaccessible to children.

[Appendix 1: First aid requirements for criterion PF15](#)**Proposed wording:**

- 1) There is a first aid kit that is:
 - › sufficient for the number of children at the service
 - › is easily recognisable and readily accessible to adults; and
 - › is inaccessible to children.
- 2) There is a system for reviewing the first aid kit so that it stays well-stocked and that any used or expired items are promptly replenished or replaced.

Why are we proposing the change

We are removing the appendix which prescribes the contents of a first aid kit to allow services flexibility.

Question for you

1. Is this a helpful change?

3.4.6

PF20: Design of sleep provisions – Sleep

Current wording

Furniture and items intended for children to sleep on (such as cots, beds, stretchers or mattresses) are of a size that allows children using them to lie flat and are of a design to ensure their safety.

HS9: Sleep furniture spacing – Sleep

Current wording

Furniture or items intended for children to sleep on (such as cots, beds, stretchers, or mattresses) are arranged and spaced when in use so that:

- adults have clear access to at least one side (meaning the length, not the width)
- the area surrounding each child allows sufficient air movement (to minimise the risk of spreading illness) and
- children able to sit or stand can do so safely as they wake.

Proposed criterion identifier and name

TBC:

Proposed wording

Furniture and items intended for children to sleep on (such as cots, beds, stretchers or mattresses):

- are of a size that allows children using them to lie flat
- are designed to support their safety and are arranged and spaced when in use so that:
 - › adults to have clear access to at least one side (meaning the length, not the width)
 - › the area surrounding each child allows sufficient air movement to minimise the risk of spreading illness in the area surrounding each child.
 - › children who are able to sit or stand can do it safely as they wake

Why we're proposing this change

We're proposing to merge HS9 and PF20 to group sleep related criteria to reduce duplication.

Questions for you

1. Does the new wording make it clearer what kind of sleep furniture is expected for children?
2. Is it clear how sleep furniture should be arranged to keep children safe and healthy?
3. How helpful is this change for understanding what's suitable, without banning specific types of sleep furniture?

3.4.7**PF21: Mattress coverings – Sleep****Current wording**

Furniture and items intended for children to sleep on (such as cots, beds, stretchers or mattresses) that will be used by more than one child over time are securely covered with or made of a non-porous material (that is, a material that does not allow liquid to pass through it) that:

- protects them from becoming soiled
- allows for easy cleaning (or is disposable) and
- does not present a suffocation hazard to children.

PF22: Bedding – Sleep**Current wording**

Clean individual bedding (such as blankets, sheets, sleeping bags and pillowslips) is provided for sleeping or resting children that is sufficient to keep them warm.

Proposed criterion identifier and name

TBC

Proposed wording

Clean individual bedding (such as blankets, sheets, sleeping bags, and pillowcases) is provided to ensure that children have adequate warmth while sleeping or resting.

Furniture and sleeping items (such as cots, beds, stretchers or mattresses) that will be used by more than one child over time are securely covered with or made of a non-porous material (that is, a material that does not allow liquid to pass through it) that:

- protects the item from becoming soiled
- allows for easy cleaning (or is disposable); and
- does not present a suffocation hazard to children

Why we're proposing this change

We believe this proposed change will reduce unnecessary duplication while still meeting the intent of both PF21 and PF22.

Questions for you

1. Does the proposed wording make it clearer what bedding and sleep furniture services must provide?
2. Do you think combining these requirements help reduce the number of rules services have to follow?
3. Is it clear which sleep furniture needs to be covered in non-porous or easy-to-clean material?
4. Could the proposed wording cause confusion about Health New Zealand's role in checking these requirements?

Section 3.5

Home-based early learning **governance, management, and administration** licensing criteria

3.5.1

GMA1: Parent access to information – Parent involvement and information

Current wording

Parents are advised how to access:

- information concerning their child
- the service's operational documents (such as its philosophy, policies, and procedures and any other documents that set out how day-to-day operations will be conducted)
- the most recent Education Review Office report regarding the service
- the Education (Early Childhood Services) Regulations 2008, and the Licensing Criteria for Home-based Education and Care Services 2008
- the full names and qualifications of each person counting towards regulated qualification requirements
- the service's current licence certificate and a procedure people should follow if they wish to complain about non-compliance with the Regulations or criteria.

Documentation required:

Evidence (such as a newsletter or enrolment pack information) of compliance with the criterion. A procedure people should follow if they wish to complain about non-compliance with the Regulations or criteria. The procedure includes the option to contact the regional Ministry of Education office and provides contact details.

GMA2: Information provided to parents

Current wording

For services offering out-of-school care, evidence of:

- written notice advising parents if the home their child is attending will have
- children receiving out-of-school care and
- written parental acknowledgement of the written notice.

Proposed criterion identifier and name

TBC

Proposed wording

Parents and whānau are provided with information on how to access the following, in either written or digital format:

- the Education (Early Childhood Services) Regulations 2008,
- the Licensing Criteria for Home-Based Education and Care Services
- the most recent Education Review Office report regarding the service
- information about any changes to the service's licence status
- the full names and qualifications of each person counting towards regulated qualification requirements

A procedure for parents and whānau to follow if they wish to make a complaint about the service.

The procedure should include:

- details on who to contact and the contact information for the local Ministry of Education office.
- information concerning their child
- any fees charged by the service
- how they can be involved in the service
- the service's operational documents
- any planned reviews and consultation.
- the amount and details of the expenditure of any Ministry of Education funding received by the service

 for services offering out-of-school care, evidence of:

A notice advising parents if the home their child is attending will have children receiving out-of-school care and parental acknowledgment of the notice.

Why we're proposing this change

We believe the proposed amendment gives services the flexibility to provide parents with access to important information in a form that suits them.

Questions for you

1. Does the new wording make it clearer what information services need to give to parents and whānau?
2. Do you agree that offering this information in written or digital form gives services helpful flexibility?
3. Is it clear that parents and whānau should be told if a service's licence status changes?
4. Do you think these changes will help parents and whānau stay more informed about how a service operates?

3.5.2

GMA3: Parent involvement

Current wording

Parents of children attending the service and adults providing education and care are provided with opportunities to contribute to the development and review of the service's operational documents (such as philosophy, policies, and procedures and any other documents that set out how day-to-day operations will be conducted).

Documentation required:

Evidence of opportunities provided for parents and adults providing education and care to contribute to the development and review of the service's operational documents.

Proposed wording

There is evidence in either written or digital format that parents and whānau of children attending the service and adults providing education and care have been provided with opportunities to contribute to the development and review of the service's operational documents.

Proposed criterion identifier and name

TBC – Opportunities to review

Why we're proposing this change

We believe this proposed amendment can provide flexibility in how information is shared..

Question for you

1. Does the proposed change provide services with greater flexibility while still meeting the needs of parents and whānau?

3.5.3

GMA4: Philosophy statement – Professional practices

Current wording

A philosophy statement guides the service's operation.

Documentation required:

A written statement expressing the service's beliefs, values and attitudes about the provision of early learning and care.

Proposed criterion identifier and name

TBC

Proposed wording

Not applicable

Why we're proposing this change

We are proposing to remove this criterion to reduce burden on service providers.

Questions for you

1. Do you agree that removing GMA4 helps reduce duplication without losing important information or requirements?
2. Is it clear that the intent of regulation 47 is still met without GMA4?
3. Do you think anything important would be lost by removing GMA4?

3.5.4

GMA5: Self-review and internal evaluation – Professional practices

Current wording

An ongoing process of self-review and internal evaluation helps the service maintain and improve the quality of its education and care.

Documentation required:

A process for reviewing and evaluating the service's operation (for example, learning and teaching practices, philosophy, policies and procedures) by the people involved in the service.

The process is consistent with criterion GMA4/GMA3 and includes a schedule showing timelines for planned review of different areas of operation.

Recorded outcomes from the review and evaluation process. Outcomes show how the service has regard for the Statement of National Education and Learning Priorities (NELP) in its operation.

Proposed criterion identifier and name

TBC

Proposed wording

There is an ongoing review process that supports the service to maintain and implement operational policies and practices.

Documentation required:

- 1) A process for reviewing the service's delivery of operational policies and practices.
- 2) The process is consistent with criterion GMA3.
- 3) Recorded outcomes from review process.

Why we're proposing this change

The proposal to amend and clarify GMA6 meets the intent of regulation 47, is clear, does not increase compliance burden, and can be used to assess compliance.

Questions for you

1. Does the new wording make it clearer what kind of review process services need to have in place?
2. Do you agree that removing the term 'self-review' helps reduce confusion about documentation and expectations?
3. Does this change make it easier to understand how to meet the requirement without increasing a service's workload?
4. Is it clear that the review process should link to how policies and practices are delivered in the service?

3.5.5

GMA6: Human resource management – Professional practices**Current wording**

Suitable human resource management practices are implemented for educators and staff.

Documentation required:

Processes for human resource management. Processes at least include:

- procedures for the selection and appointment of suitable educators and staff
- job/role descriptions
- training plans for educators with little or no previous experience in early learning
- induction procedures into the service
- a system of regular appraisal
- provision for professional development
- a definition of serious misconduct and
- discipline/dismissal procedures.

Proposed criterion identifier and name

TBC

Proposed wording

Not applicable

Why we're proposing this change

We're proposing to remove this criterion to reduce burden on service providers.

Questions for you

1. Do you agree that removing this criterion still keeps important staff-related responsibilities clear for service providers?
2. Is it clear that services must still meet the requirements of regulation 47(1)(e) and regulation 56, even without this criterion?
3. Do you think this removal helps reduce duplication or confusion in the licensing criteria?
4. Do you have any concerns about removing this criterion that you think we should consider?

3.5.6

GMA7: Annual plan – Planning and documentation

Current wording

An annual plan guides the service's operation.

Documentation required:

An annual plan identifying 'who', 'what', and 'when' in relation to key tasks the service intends to undertake each year, and how key tasks will have regard to the Statement of National Education and Learning Priorities (NELP).

Proposed criterion identifier and name

TBC

Proposed wording

An annual plan guides the service's operation.

Note: this criterion only applies in respect of the Secretary's assessment of probationary applications where the applicant does not hold a current licence and applications to amend a licence where the different legal entity does not hold a current licence.

Documentation required:

An annual plan identifying 'who', 'what', and 'when' in relation to key tasks the service intends to undertake each year.

Why we're proposing this change

The proposed change should help support the ongoing sustainability of new services. This is because they will have a high-level plan in place that makes sure they plan and implement key tasks during their first year of operation.

Questions for you

1. Does the new wording make it clear that the annual plan requirement only applies to new or probationary applicants?
2. Do you agree this change reduces unnecessary compliance for established services that already hold a licence?
3. Is it clear what kind of information should be included in the annual plan (i.e. who, what, when)?
4. Do you think this change still helps manage risks related to new providers entering the sector?

3.5.7

GMA8: Annual budget – Planning and documentation**Current wording**

An annual budget guides financial expenditure.

Documentation required:

An annual budget setting out the service's estimated revenue and expenses for the year. The budget includes at least:

- staffing costs, including leave entitlements
- professional development costs
- equipment and material costs for the ongoing purchase of new equipment and consumable materials and
- provision for operational costs and maintenance of the premises as appropriate.

Proposed criterion identifier and name

TBC

Proposed wording

An annual budget guides financial expenditure

Note: this criterion only applies in respect of the Secretary's assessment of probationary applications where the applicant does not hold a current licence and applications to amend a licence where the different legal entity does not hold a current licence.

Documentation required:

An annual budget setting out the service's estimated revenue and expenses for the year. The budget includes at least:

- staffing costs, including leave entitlements
- professional development costs
- equipment and material costs for the ongoing purchase of new equipment and consumable materials and
- provision for operational costs and maintenance of the premises as appropriate.

Why we're proposing this change

The proposed change should help support the ongoing sustainability of new services. This is because they will have a high-level budget in place to guide operations during their first year.

Questions for you

1. Does the new wording make it clear that the annual budget requirement only applies to new or probationary licence applicants?
2. Do you agree this change reduces unnecessary paperwork for services that already hold a licence?
3. Is it clear what should be included in the annual budget (e.g. staffing, equipment, operating costs)?
4. Do you think requiring a budget helps show that new services are likely to be well-managed?

3.5.9**GMA9: Enrolment records – Planning and documentation****Current wording**

Enrolment records are maintained for each child attending. Records are kept for at least 7 years.

Documentation required:

Enrolment records for each child currently attending and for those who have attended in the previous 7 years. Records meet the requirements of the ECE Funding Handbook and include at least:

- the child's full name, date of birth, and address;
- the name and address of at least 1 parent;
- details of how at least 1 parent (or someone nominated by them) can be contacted while the child attends the service;
- the name of the medical practitioner (or medical centre) who should, if practicable, be consulted if the child is ill or injured;
- details of any chronic illness/condition that the child has, and of any implications or actions to be followed in relation to that illness/condition
- the names of the people authorised by the parent to collect the child; and
- any court orders affecting day to day care of, or contact with, the child

GMA10: Attendance records

Current wording

An attendance record is maintained that shows the times and dates of every child's attendance at the service. Records are kept for at least 7 years.

Documentation required:

An attendance record that meets the requirements outlined in the ECE Funding Handbook for children currently attending, and children who have attended in the previous 7 years.

Proposed criterion identifier and name

TBC

Proposed wording

Enrolment and attendance records are maintained for each child attending. Records are kept for at least 7 years.

Documentation required:

Enrolment and attendance records for each child currently attending and for those who have attended in the previous 7 years.

Records meet all the requirements of the ECE Funding Handbook.

Why we're proposing this change

We believe this proposed amendment helps clarify requirements.

Questions for you

1. Does the amended criterion provide clarity for services?
2. Do you agree merging GMA9 and GMA10 does not increase compliance burden?

Section 4

Proposed changes to **hospital-based** licensing criteria

Section 4.1

Summary of **proposed changes** to for hospital-based early learning services licensing criteria

Below you can find information about criteria that are proposed to be amended, merged, or removed. Criteria to be retained may be found in Section 2B.

Licensing Criterion	Details	Proposed change	Discussion document section
Health and safety			
HS5	Animals	Amend	4.3.1
HS6	Excursions	Amend	4.3.2
HS8	Room temperature	Amend	4.3.3
HS9	Securing furniture	Merge	4.3.4
HS10	Hazard and risk management	Amend	
HS13	Child protection	Amend	4.3.5
Premises and facilities			
PF2	Variety of equipment	Amend	4.4.1
PF5	Adult working space	Amend	4.4.2
PF7	Design and layout	Amend	4.4.3
PF8	Premises support effective supervision	Merge	
PF9	Infant toddler safe space	Amend	4.4.4
Governance, management and administration			
GMA1	Display of information	Amend	4.5.1
GMA2	Parent access to information	Amend	4.5.2
GMA3	Information provided to parents	Merge	
GMA4	Involving parents and educators	Amend	4.5.3
GMA5	Philosophy statement	Remove	
GMA6	Self-review and internal evaluation	Amend	4.5.4
GMA7	Human resource management	Remove	4.5.5
GMA8	Annual plan	Amend	4.5.6
GMA9	Annual budget	Amend	4.5.7
GMA10	Enrolment records	Amend	4.5.8
GMA11	Participation records	Merge	

Section 4.2

Summary of **retained for hospital-based** early learning services licensing criteria

The licensing criteria below will be retained or are out of scope for consideration in this consultation.

Licensing Criterion	Details
Health and safety	
HS1	Hospital legislation compliance
HS2	Premises and contents are safe and hygienic
HS3	Safe and assembly areas
HS4	Emergency Drills
HS7	Travel by motor vehicle
HS11	Noise levels
HS12	Medicine administration
HS14	Inappropriate material
HS15	Alcohol
HS16	Alcohol and other substances at the service
Premises and facilities	
PF1	Hospital legislation compliance
PF3	Safe furniture and equipment
PF4	Storage
PF6	Art sink
PF10	Flooring
PF11	Telephone
PF12	Handwashing facilities
Governance, management and administration	
GMA7A	Safety checking
GMA12	Availability of documentation

Section 4.3

Hospital-based early learning **health and safety** licensing criteria

4.3.1

HS5: Animals – General

Current wording

Safe and hygienic handling practices are implemented with regard to any animals at the service. All animals are able to be restrained.

Proposed criterion identifier and name

TBC - Animals

Proposed wording

Safe and hygienic practices are implemented with regard to any animals at the service (such as thorough handwashing after handling animals and ensuring animals can be kept separate from food preparation/eating spaces). All animals are able to be restrained if they pose a risk to children.

Why we're proposing this change

We believe this proposed change will improve provider understanding and compliance while reducing unnecessary burden.

Questions for you

1. Is the new wording clear about what services need to do to manage animals safely and hygienically?
2. Do you think this change makes it easier for services to understand and follow the requirement?
3. Does the proposed wording reduce unnecessary compliance burden while still protecting children's health and safety?

4.3.2

HS6: Excursions – General**Current wording**

Whenever children leave the premises on an excursion:

- assessment and management of risk is undertaken, and adult:child ratios are determined accordingly. Ratios are not less than the required adult:child ratio
- parents have given prior written approval of their child's participation and of the proposed ratios; and
- there are communication systems in place so that people know where the children are, and adults can communicate with others as necessary.

Documentation required:

A record of excursions. Records include:

- the names of adults and children involved
- the time and date of the excursion
- the location and method of travel
- assessment and management of risk; and
- evidence of parental permission.

Proposed criterion identifier and name

TBC Excursions

Proposed wording

Whenever children leave the premises on an excursion:

- A risk assessment and management plan (RAMS) is undertaken, and adult:child ratios are determined accordingly. Ratios are not less than the required adult:child ratio
- parents have given prior written approval to their child's participation and of the proposed ratios, location and method of travel
- communication systems are in place so that people know where the children are, and adults can communicate with others as necessary.

Documentation required (written or digital)

A record of excursions that includes:

- the names of all adults and children involved
- the time and date of excursion

- the location and method of travel
- completed risk assessment and management plan (RAMS); and
- evidence of parental permission and approval of adult:child ratios, location and method of travel.

Why we're proposing this change

We believe this proposed change will improve provider understanding and compliance while reducing unnecessary burden.

Questions for you

1. Does the proposed change give better clarity on what providers are expected to document when leaving the premises?
2. Will this proposed change reduce unnecessary compliance burden?
3. Will this amended criterion gives better clarity to family and whānau?

4.3.3

HS8: Room temperature – ECE activity room

Current wording

Any ECE activity room is kept at a comfortable temperature no lower than 18°C (at 500mm above the floor) while children are attending.

Proposed criterion identifier and name

TBC Room temperature

Proposed wording

Maintain a comfortable temperature in any ECE activity room used by children (no lower than 18°C at 500mm above the floor), allowing for fluctuating temperatures for brief periods.

Why we're proposing this change

Allowing for fluctuating temperatures for brief periods acknowledges that temporary dips in temperature (like when a door is briefly opened) are acceptable, as long as the overall environment remains comfortable.

Questions for you

1. Does the proposed wording make it clear what temperature services need to maintain in children's spaces?
2. Do you think allowing brief fluctuations in temperature makes the requirement more practical?
3. Does this change reduce unnecessary burden while still supporting children's health and wellbeing?

4.3.4**HS9: Securing furniture – ECE activity room****Current wording**

Heavy furniture, fixtures, and equipment in any ECE activity room that could fall or topple and cause serious injury or damage are secured.

HS10: Hazard and risk management – ECE activity room**Current wording**

Any ECE activity room and equipment used by children as part of the ECE programme are checked on every day of operation for hazards. Hazards to the safety of children are eliminated, isolated or minimised.

Consideration of hazards must include but is not limited to:

- cleaning agents, medicines, poisons, and other hazardous materials
- electrical sockets and appliances (particularly heaters)
- vandalism, dangerous objects, and foreign materials
- the condition and placement of equipment; and
- bodies of water.

Documentation required:

A documented risk management system.

Proposed criterion identifier and name

TBC Hazard and risk management

Proposed wording

A risk assessment and management system (RAMS) is in place that ensures:

- 1) ECE activity room equipment used by children as part of the ECE programme are checked on every day of operation for hazards to children and adults. There included but are not limited to:
 - › cleaning agents, medicines, poisons and other hazardous materials
 - › electrical sockets and appliances
 - › vandalism, dangerous objects and foreign materials
 - › the conditions and placement of learning, play and other equipment
 - › bodies of water; and
 - › heavy furniture, fixtures and equipment that could fall or topple and cause serious injury or damage are secure.
- 2) Hazards eliminated, isolated or minimised.

Documentation required (written or digital)

A documented risk assessment and management system

Why we're proposing this change

We believe this proposed change will reduce duplicate criteria and improve safety through daily safety checks.

Questions for you

1. Do you believe the proposed change reduces duplication?
2. Do you believe the proposed change improves safety?
3. Does the proposed change increase compliance burden on service providers?

4.3.5**HS13: Child protection – Child protection****Current wording**

There is 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, and information about how the service will keep children safe from abuse and neglect, and how it will respond to suspected child abuse and neglect.

The policy must be reviewed every 3 years.

Documentation required:

- 1) A written child protection policy that contains:
 - › provisions for the service's identification and reporting of child abuse and neglect;
 - › information about the practices the service employs to keep children safe from abuse and neglect; and
 - › information about how the service will respond to suspected child abuse and neglect.
- 2) A procedure that sets out how the service will identify and respond to suspected child abuse and/or neglect.

Proposed criterion identifier and name

TBC Child protection

Proposed wording

A written child protection policy and procedure that meets the requirements of the Children's Act 2014. The policy and procedure contain provisions for:

- the identification and reporting of child abuse and neglect
- information about how the service will keep children safe from abuse and neglect
- how the service will respond to suspected child abuse and neglect

The policy and procedure must be reviewed every 3 years to assess how well it has supported or would support the service's response to child abuse and neglect.

Documentation required (written or digital):

A child protection policy that contains:

- Provisions for the service's identification and reporting of child abuse and neglect
- Information about the practices the service employs to keep children safe from abuse and neglect; and
- Information about how the service will respond to suspected child abuse and neglect

A procedure that sets out how the service will identify and respond to suspected child abuse and/or neglect

Evidence the service has reviewed the policy and procedure every three years. As part of the review, the service must evaluate how well the policy and procedure works using at least one example of either:

- how well the policy and procedure supported the service to respond to an actual event; or
- how well the policy and procedure would support the service to respond using a hypothetical scenario.

Why we're proposing this change

We have suggested this proposed change based on recommendations contained in the 2024 Poutasi report to help protect children from harm.

Questions for you

1. Do you think the intent of the original criterion is still met with the proposed criterion?
2. Will this proposed change make it easier for services to comply with the proposed criterion?
3. Will this proposed criterion meet the needs of family and whānau?
4. Does the proposed criterion support health and safety?

Section 4.4

Hospital-based early learning **premises** **and facilities** licensing criteria

4.4.1

PF2: Variety of equipment – General

Current wording

A sufficient quantity and variety of furniture, equipment, and materials is provided that is appropriate for the learning and abilities of the children participating in the service.

Proposed wording

A sufficient quantity and variety of furniture, equipment, and materials is provided to ensure children have timely access to appropriate learning challenges, experiences, and opportunities that support their developmental stages, abilities, and current and emerging interests.

Why we're proposing this change

We believe that the proposed changes will help services understand the intent behind PF2 and may improve compliance.

Questions for you

1. Does the proposed wording support the need to provide for children's different ages, abilities, and interests?
2. Do you think this change will improve understanding and compliance without adding extra burden?

4.4.2

PF5: Adult workspace – ECE activity room

Current wording

There is space for adults working at the service to:

- withdraw from children for planned breaks as appropriate
- meet privately with parents and colleagues;
- store curriculum support materials; and
- assess, plan, and evaluate.

Proposed wording

There is space (where children are not present) for adults working at the service to:

- use for planned breaks
- meet privately with parents and colleagues
- store curriculum support materials; and
- assess, plan and evaluate.

Why we're proposing this change

We believe the proposed wording will help providers understand expectations related to adult workspaces.

Questions for you

1. Does the proposed new wording help providers better understand expectations related to adult working spaces?
2. To what extent could this change add compliance burden?
3. How easy would it be to implement the proposed change?

4.4.3

PF7: Design and layout – ECE activity room

Current wording

The design and layout of any ECE activity room supports the provision of a range of different types of learning experiences that are appropriate to the number, ages, abilities, and specific mobility or treatment needs of the children likely to use it.

PF8: Premises support effective supervision – ECE activity room

Current wording

The design and layout of any ECE activity room supports effective adult supervision.

Proposed wording

The design and layout of any ECE activity room supports effective adult supervision and facilitates a range of different types of learning experiences that are appropriate to the number, ages, abilities, and specific mobility or treatment needs of the children likely to use it.

Why we're proposing this change

We believe the proposed amendment provides providers with the flexibility to configure the ECE activity to suit different curriculum priorities.

Questions for you

1. Does the proposed wording make it clear how the design and layout should support different types of learning and play?
2. Do you think this change supports services to create learning environments that work for children of different ages and abilities?
3. Do you think the new wording makes it easier to understand what's required, without creating unnecessary compliance burden?

4.4.4

PF9: Infant toddler safe space – ECE activity room

Current wording

There are safe and comfortable spaces in any ECE activity room for infants, toddlers, or children not walking to lie, roll, creep, crawl, pull themselves up, learn to walk, and to be protected from more mobile children.

Proposed wording

There are safe and comfortable spaces in any ECE activity room for infants, toddlers, or children not walking to lie, roll, creep, crawl, pull themselves up, learn to walk, and to be protected from more mobile children. This does not prohibit infants and toddlers from moving throughout the premises, learning alongside older children.

Why we're proposing this change

The clarification may ease the burden for providers, particularly if there was a misunderstanding that younger and older children must always be separated.

Questions for you

1. Does the new wording make it clearer what's expected for keeping non-walking children safe?
2. Do you think the new wording helps clear up any confusion about separating younger and older children?
3. How easy would it be for your service to follow this new wording in practice?
4. Could this change reduce pressure or worry for your service about how to meet this requirement?

Section 4.5

Hospital-based early learning **governance, management, and administration** licensing criteria

4.5.1

GMA1: Display of information – Parent involvement and information

Current wording

The following are prominently displayed at the service for parents and visitors:

- the Education (Early Childhood Services) Regulations 2008,
- Licensing Criteria for Hospital-based Education & Care Services 2008.
- the full names and qualifications of each person counting towards regulated qualification requirements
- the service's current licence certificate and
- a procedure people should follow if they wish to complain about non-compliance with the Regulations or criteria.

Documentation required:

A procedure people should follow if they wish to complain about non-compliance with the Regulations or criteria.

The procedure includes the option to contact the local Ministry of Education office and provides contact details.

Proposed wording

The following are prominently displayed at the service:

- The service's current licence certificate
- The name and contact details of a person who parents, whānau and visitors can contact for questions about the service and/or to make a complaint

Why we're proposing this change

We believe the proposed changes reduce unnecessary compliance burden for services.

Questions for you

1. Do you think the proposed changes reduce unnecessary compliance burdens for services?

4.5.2

GMA2: Parent access to information – Parent involvement and information

Current wording

Parents are advised how to access:

- information concerning their child
- the service's operational documents (such as its philosophy, policies, and procedures and any other documents that set out how day to day operations will be conducted) and
- the most recent Education Review Office report regarding the service.

Documentation required:

Written information letting parents know how to access:

- information concerning their child
- the service's operational documents and
- the most recent Education Review Office report regarding the service.

GMA3: Information provided to parents – Parent involvement and information

Current wording

Information is provided to parents about:

- 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
- any planned reviews and consultation

Documentation required:

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; and
- about any planned reviews and consultation

Proposed criterion identifier and name

TBC

Proposed wording

Parents and whānau are provided with information on how to access the following, in either written or digital format:

- the Education (Early Childhood Services) Regulations 2008,
- the Licensing Criteria for Hospital-based Early Childhood Education and Care Centres 2008
- information about any changes to the service's licence status
- the most recent Education Review Office report regarding the service
- the full names and qualifications of each person counting towards regulated qualification requirements
- a procedure for parents and whānau to follow if they wish to make a complaint about the service. The procedure should include details on who to contact and the contact information for the local Ministry of Education office.
- information concerning their child
- any fees charged by the service
- how they can be involved in the service
- the service's operational documents
- any planned reviews and consultation and
- the amount and details of the expenditure of any Ministry of Education funding received by the service.

Why we're proposing this change

We believe the proposed amendment clarifies that information can be provided in written or digital format providing flexibility around how information is shared.

Questions for you

1. Does the new wording clearly explain what must be displayed at the service?
2. Do you agree that this change keeps parents and whānau informed without adding extra work for services?
3. Does this change make it clear who parents and visitors can contact with questions or concerns about the service?

Do you think this merged requirement makes it easier to understand and meet the display rules?

GMA4: Involving parents and educators – Parent involvement and information

Current wording

Parents of children attending the service and adults providing education and care are provided with opportunities to contribute to the development and review of the service's operational documents (such as philosophy, policies and procedures and any other documents that set out how day to day operations will be conducted).

Proposed wording

There is evidence in either written or digital format that parents and whānau of children attending the service and adults providing education and care have been provided with opportunities to contribute to the development and review of the service's operational documents.

Why we're proposing this change

We believe this proposed change will reduce unnecessary duplication while still meeting the intent of both GMA3 and GMA4.

Question for you

1. Do you agree that combining GMA3 and GMA4 helps reduce duplication in the licensing criteria?

4.5.3

GMA5: Philosophy statement – Professional practices

Current wording

A philosophy statement guides the service's operation.

Documentation required:

A written statement expressing the service's beliefs, values and attitudes about

the provision of early learning and care.

Proposed wording

Not applicable

Why we're proposing this change

We are proposing to remove this criterion to reduce unnecessary burden.

Questions for you

1. Do you agree that removing GMA5 helps reduce duplication without losing important information or requirements?
2. Does removal of GMA5 make it more difficult for services to meet regulation 47?
3. Do you think anything important would be lost by removing GMA5.

4.5.4

GMA6: Self-review and internal evaluation

Current wording

An ongoing process of self-review and internal evaluation helps the service maintain and improve the quality of its education and care.

Documentation required:

A process for reviewing and evaluating the service's operation (for example, learning and teaching practices, philosophy, policies and procedures) by the people involved in the service.

The process is consistent with criterion GMA3 /GMA4 and includes a schedule showing timelines for planned review of different areas of operation.

Recorded outcomes from the review and evaluation process. Outcomes show how the service has regard for the Statement of National Education and Learning Priorities (NELP) in its operation.

Proposed wording

There is an ongoing review process that supports the service to maintain and implement operational policies and practices.

Proposed documentation required (written or digital format)

- 1) A process for reviewing the service's delivery of operational policies and practices.
- 2) The process is consistent with criterion GMA4

3) Recorded outcomes from review process

Why we're proposing this change

We believe the proposed amendment helps reduce unnecessary burden.

Questions for you

1. Does the new wording make it clearer what kind of review process services need to have in place?
2. Do you agree that removing the term 'self-review' helps reduce confusion about documentation and expectations?
3. Does this change make it easier to understand how to meet the requirement without increasing your workload?
4. Is it clear that the review process should link to how policies and practices are delivered in the service?

4.5.5

GMA7: Human resource management – Professional practices

Current wording

Suitable human resource management practices are implemented.

Documentation required:

Processes for human resource management, including:

- selection and appointment procedures
- job/role descriptions
- induction procedures into the service
- a system of regular appraisal
- provision for professional development
- a definition of serious misconduct and
- discipline/dismissal procedures.

Proposed wording

Not applicable

Why we're proposing this change

We are proposing to remove this criterion as recommended.

Removal does not change the requirement for providers to comply with Reg 47(1)(e).

Questions for you

1. Do you agree that removing this criterion still keeps important staff-related responsibilities clear for service providers?
2. Is it clear that services must still meet the requirements of regulation 47(1)(e) and regulation 56, even without this criterion?
3. Do you think this removal helps reduce duplication or confusion in the licensing criteria?
4. Do you have any concerns about removing this criterion that you think we should consider?

4.5.6

GMA8: Annual plan – Planning and documentation

Current wording

An annual plan guides the service's operation.

Documentation required:

An annual plan identifying 'who', 'what', and 'when' in relation to key tasks the service intends to undertake each year, and how key tasks will have regard to the Statement of National Education and Learning Priorities (NELP).

Proposed wording

An annual plan guides the service's operation.

Note: this criterion only applies in respect of the Secretary's assessment of probationary applications where the applicant does not hold a current licence and applications to amend a licence where the different legal entity does not hold a current licence.

Documentation required

An annual plan identifying 'who', 'what', and 'when' in relation to key tasks the service intends to undertake each year.

Why we're proposing this change

We believe the proposed amendment still allows risk around new entrants to the early learning sector will still be managed while reducing burden for established service providers.

Questions for you

1. Does the proposed wording make it clear that the annual plan requirement only applies to new or probationary applicants?
2. Do you agree this change reduces unnecessary compliance for established services that already hold a licence?
3. Is it clear what kind of information should be included in the annual plan (i.e. who, what, when)?
4. Do you think this change still helps manage risks related to new providers entering the sector?

4.5.7**GMA9: Annual budget – Planning and documentation****Current wording**

An annual budget guides financial expenditure.

Documentation required:

An annual budget setting out the service's estimated revenue and expenses for the year. The budget includes at least:

- staffing costs, including leave entitlements
- professional development costs
- equipment and material costs for the ongoing purchase of new equipment and consumable materials and
- provision for operational costs (such as electricity, telephone, food purchases and other day-to-day items) and maintenance of the premises as appropriate.

Proposed wording

An annual budget guides financial expenditure.

Note: this criterion only applies in respect of the Secretary's assessment of probationary applications where the applicant does not hold a current licence and applications to amend a licence where the different legal entity does not hold a current licence.

Documentation required

An annual budget setting out the service's estimated revenue and expenses for the year. The budget includes at least:

- staffing costs, including leave entitlements
- professional development costs

- equipment and material costs for the ongoing purchase of new equipment and consumable materials and
- provision for operational costs (such as electricity, telephone, food purchases and other day-to-day items) and maintenance of the premises as appropriate.

Why we're proposing this change

The proposal to amend GMA9 meets the intent of regulation 47, is clear, does not increase compliance burden, and can be used to assess compliance.

Questions for you

1. Does the proposed wording make it clear that the annual budget requirement only applies to new or probationary licence applicants?
2. Do you agree this change reduces unnecessary paperwork for services that already hold a licence?
3. Is it clear what should be included in the annual budget (e.g. staffing, equipment, operating costs)?
4. Do you think requiring a budget helps show that new services are likely to be well-managed?

4.5.10

GMA10: Enrolment records – Planning and documentation

Current wording

Enrolment records are maintained for each child attending. Records are kept for at least 7 years.

Documentation required:

Enrolment records for each child currently attending and for those who have attended in the previous 7 years. Records meet the requirements of the ECE Funding Handbook and include at least:

- the child's full name, date of birth, and address
- the name and address of at least 1 parent
- details of how at least 1 parent (or someone nominated by them) can be contacted while the child attends the service
- the name of the medical practitioner (or medical centre) who should, if practicable, be consulted if the child is ill or injured
- details of any chronic illness/condition that the child has, and of any implications or actions to be followed in relation to that illness/condition

- the names of the people authorised by the parent to collect the child; and
- any court orders affecting day to day care of, or contact with, the child.

GMA11: Participation records – Planning and documentation

Current wording

A record is maintained for children participating in the service. Records are kept for at least 7 years.

Documentation required:

An attendance record that meets requirements outlined in the ECE Funding Handbook for children participating in the service, and children who have attended in the previous 7 years.

Proposed criterion identifier and name

TBC

Proposed wording

Adults providing education and care have access to information held by the hospital for each child participating in the service.

Documentation required:

Participation records are maintained for each child attending. Records are kept for at least 7 years.

Records meet all the requirements of the ECE Funding Handbook.

Why we're proposing this change

We believe the proposed amendment clarifies requirements.

Questions for you

1. Do you agree that merging GMA10 and GMA11 helps reduce duplication in the licensing criteria?
2. Is it clear that enrolment and attendance records must be kept for at least 7 years?
3. Does this change make it easier to understand what records are required and for how long?
4. Do you think this change makes compliance simpler without removing important expectations?

Section 5: Next steps

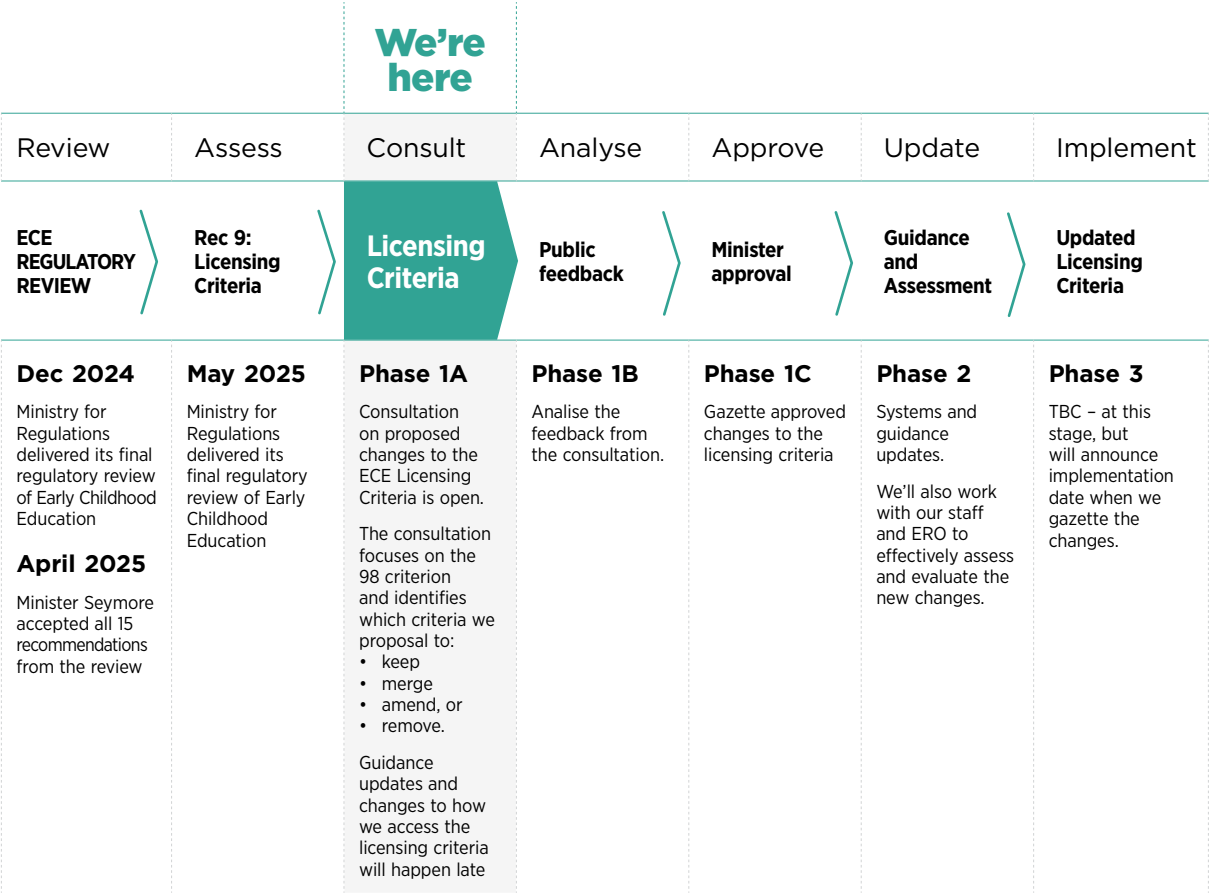
This consultation will close on 24 July 2025 and we'll then begin a comprehensive analysis and review of all submissions (noted as Phase 1B in the process illustration below).

When analysis is complete, we'll make recommendations on any changes for which we're seeking approval (noted as Phase 1B below).

Once approved by the Associate Minister of Education these changes will be gazetted (noted as Phase 1C below).

Guidance, systems, and processes will be updated, if required, based on any changes that may be approved by the Associate Minister of Education. These updates and associated changes will take time to implement.

We anticipate we will be able to fully implement any approved changes by the end of 2026.



Section 6: Conclusion

We want to thank you for taking the time to read this discussion document. We hope you will now take the opportunity to share your views using the Have Your Say section of the Ministry of Education’s website. Your views matter and we look forward hearing from you.

Addendum 1: Background

What are licensing criteria?

The government sets minimum standards that must be met for licensed early learning services (services). These standards are defined in the early learning regulatory framework. Strong regulatory standards are important because research shows that high-quality early learning services provide a platform for children and tamariki to succeed as lifelong learners.

There are three tiers to the regulatory framework for licensed early learning services.

1. The Education and Training Act 2020 (the Act) defines service types and empowers regulations and criteria to be developed.
2. The regulations, as set out in the Education (Early Childhood Services) Regulations 2008 (the primary regulations), establish the licensing process and set the minimum standards that all services must follow.
3. The third tier, the licensing criteria, are used to assess compliance with the minimum standards set out in the regulations.

The regulatory standards specified in the primary regulations describe the overarching requirements. Each licensing criterion must clearly fall within the broader scope described by the regulatory requirements.

What are the licence types?

There are three primary licence types for licensed services – probationary licences, full licences, and temporary relocation licences.

A probationary licence is the first step in the licensing process, with every new licensed service starting on this licence. Probationary licences are issued when the Secretary for Education (the Secretary) is satisfied that the service complies with, or is likely to comply with, the regulated standards. This is important because some standards can only be assessed fairly when a service is operating.

Full licences are granted to services when the Secretary is satisfied that they comply with all minimum standards set out in the regulations.

A temporary relocation licence can be granted if the service is temporarily relocated to another premises. The premises must either comply with relevant standards or conditions imposed by the Secretary.

Current enforcement tools

The Secretary may reclassify a service with a full or probationary licence to provisional if satisfied that:

- » the service does not comply with the regulations
- » the service does not comply with all the conditions subject to which its licence was issued
- » a complaint lodged against the service provider alleging non-compliance warrants investigation
- » the service has not complied with a written direction from the Secretary within a reasonable time.

A service's licence can also be suspended in certain circumstances. For example, if it is not in the interests of children attending for the service to continue operating.

Similarly, there are limited circumstances where the Secretary must cancel a service's licence. For example, if a service's licence has been suspended and they have not complied with the conditions specified in the notice effecting the suspension within a reasonable period.

Since 2021, the Secretary has also been able to direct a service provider to remedy an immediate health and safety risk in limited circumstances. That is when the Secretary considers the risk is, or is likely to be, a breach of the Regulations. The health and safety risk must also be capable of being remedied safely while the relevant service continues to operate. The advantage of this new tool was that the Secretary could require a service provider to immediately address a health and safety matter without feeling obligated to reclassify the licence as provisional or suspend the licence.

Why are we reviewing the licensing criteria?

On 31 March 2025, Cabinet agreed to the recommendations from the Ministry for Regulation's (MfR) early learning regulatory sector review (review). This included recommendation 9: revise licensing criteria to ensure they are proportionate, effective, and support quality without overburdening providers.

MfR conducted a line-by-line review of the 98 licensing criteria for centre-based services, and found:

several licensing criteria... could be considered duplicative, and others... would be better applied if they were regulated using a different tool. Some criteria have been found to be unnecessary in the current EARLY LEARNING sector context, while others have been found to blur the lines between what is a regulatory requirement and what is a recommendation for improving quality above the minimum standards.

MfR's report also noted that it is problematic having multiple agencies assess the same criterion at different points, particularly given some criteria can be subjective and open to interpretation.

Based on their findings and the objectives to reduce unnecessary compliance costs and administrative burdens for service providers and improving the regulatory framework, MfR recommended making changes to 74 percent of the licensing criteria, see table 1 below. The proposed changes touch on criteria for:

- » Premises and facilities (linked to [regulation 45](#))
- » Health and safety (linked to [regulation 46](#))
- » Governance, management and administration (linked to [regulation 47](#))

Table 1: Ministry for Regulation’s recommended changes to the current licensing criteria for centre-based education and care services

Recommendation	Why recommended	Applicable criteria
Remove	We do consider compliance with three of the specific criteria is either unnecessary for EARLY LEARNING regulation outcomes, or is covered by other regulatory requirements	3 - PF23, PF24, HS5
Remove and put into guidance materials	We consider 18 specific criteria are related to quality above the minimum standards	18 - C3, C4, C5, C6, C7, C8, C9, C10, C11, C12, C13, PF10, GMA4, GMA5, GMA6, GMA7, GMA8, GMA9
Merge with other related licensing criteria	We consider there are 11 licensing criteria on topics where it would be more appropriate to merge into a single criterion to reduce unnecessary duplication	11 - PF2, PF15, PF20, PF21, PF22, HS6, HS11, HS15, HS20, GMA3, GMA11
Amend licensing criteria	We consider that there are 40 criteria that could be amended to make them easier to understand and comply with and reduce unnecessary burdens	40 - PF1, PF4, PF9, PF12, PF13, PF14, PF16, PF18, PF19, PF28, PF29, PF30, PF31, PF32, PF33, PF34, PF35, PF36, PF37, PF38, HS1, HS2, HS8, HS9, HS10, HS14, HS16, HS17, HS21, H22, HS24, HS26, HS27, HS28, HS29, HS31, HS34, GMA1, GMA2, GMA10
Retain	There are 26 specific criteria that we consider should be retained without changes	26 - C1, C2 PF3, PF5, PF6, PF7, PF8, PF11, PF17, PF25, PF26, PF27, HS3, HS4, HS7, HS12, HS13, HS18, HS19, HS23, HS25, HS30, HS32, HS33, GMA7A, GMA12

MfR also recommended reviewing and revising each specific licensing criterion and making additional changes to how the licensing criteria are operationalised.

Associated compliance and enforcement tools

MfR was also careful to recommend that Ministry of Education undertake the necessary policy and legal work to “develop a graduated set of regulatory tools and test and refine the proposed framework (or develop an alternative framework that meets the stated goals)”. However, this requires changes to the primary regulations and the Act, which requires considerable policy work first. The House of Representatives is currently considering these changes among other changes to the licensing criteria in the Education and Training (early learning Reform) Amendment Bill.

Addendum 2: Additional content to support consultation

Purpose

Any criteria not included in this consultation will be listed in the survey appendix, indicating they are still under review and don't need feedback now.

Additionally, other matters raised during the Ministry for Regulation's consultation are included to show any next steps planned.

Governance, Management and Administration (GMA) criteria

GMA8 and GMA9

Q: Why do the National Education and Learning Priorities (NELP) still need to be included in the GMA6 and GMA8 licensing criteria?

The Education and Training Act will be amended to revoke s5 (Minister may issue statement of national education and learning priorities)

Consultation regarding the removal of the NELP occurred in 2024.

Removing the NELP from the licensing criteria would be a consequential decision once the NELP is removed from the Act.

GMA10 and GMA11

Q: Why can't we use electronic signatures on enrolment forms GMA10 and attendance records GMA11?

The requirements around signatures for enrolment forms and attendance records are set in the ECE Funding Handbook. There are further considerations that need to be explored so at this stage the use of electronic signatures is not being consulted on.

Premises and facilities (PF) criteria

Q: Were concerns about door handle heights considered during the review?

Door handle heights are not prescribed in the licensing criteria, and therefore not addressed in this consultation. The Ministry will work with MBIE to understand the implications across agencies.

PF16

Q: Do we need to record fridge temperatures?

There is no requirement in the Licensing Criteria to record fridge temperatures.

Health and safety (HS) criteria

HS24 – Room temperature

Q: What if the room temperature briefly drops below 18 degrees because I opened the outside door?

Guidance will be provided to explain what is expected and how this will be assessed, including that measurements will be taken where children gather, not at doorways.

Q: Do I need to have a thermometer on the wall to monitor room temperatures at 500mm?

As clarified during the review, there is no requirement for services to have a thermometer attached to the wall at 500mm.

HS9 – Sleep monitoring**Q: If someone is in the sleep room which children are sleeping do they still need to complete sleep monitoring records?**

We do not consider having an adult present in the sleep room in itself is an effective replacement for conducting and recording sleep checks. There is nothing preventing centres from having an adult present in the sleep room, but conducting and recording sleep checks continues to be critical to ensure children's health and well-being while they sleep and provides crucial evidence to support staff and service providers if there is an incident during sleep periods.

Q: Does increasing the interval of sleep monitoring increase the risk of SUDI?

Increasing the monitoring interval for sleeping children under the age of two from 'at least every 5 to 10 minutes' to 'at least every 10 to 15 minutes' will not increase the risk of SUDI. The risk of SUDI is primarily associated with unsafe sleep positions or environments and other predisposing factors, such as exposure to smoke.

Services should continue to monitor children more frequently if required. This includes infants who are at greater risk of SUDI or children who are un-well.

HS27

We acknowledge the sector has suggested that consideration is given to flexibility of the adult:child ratios in situations when immediate medical assistance is sought for a child who is seriously injured or becomes seriously ill. The adult:child ratios (Schedule 2) is not in scope for this review, however we are proposing amendments to HS25 to allow flexibility of the 1:25 ratio of persons to hold a first aid qualification for short periods.

Q: Have you removed the noise requirement? / Why haven't you address noise concerns?

The day-to-day health and safety of children continues to be considered including the impact of high levels of environmental noise exposure.

Guidance will be provided to explain what is expected and how this will be assessed for new service providers as part of our response to recommendation13.,



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