

H EARLY CHILDHOOD EDUCATION AND CARE SERVICES

H1 CHANGES TO THE EDUCATION ACT 1989

H1.1 OVERVIEW/INTERPRETATION

Changes to the Education Act 1989, effective from 1 December 2008, have created a new legal framework for the operation of early childhood services. This is known as the “2008 regulatory framework”.

All new services are subject to the 2008 regulatory system. The *Licensing Criteria for Early Childhood Education and Care Centres 2008*, and the *Early Childhood Education Curriculum Framework*, form part of the regulatory framework for Early Childhood Education (ECE).

SOURCE: Part 26, ss308-310 Education Act 1989

s308. Overview

This Part –

- (a) requires the licensing of service providers who operate early childhood education and care centres; and
- (b) allows, but does not require, the licensing of service providers who provide a home-based education and care service or a hospital-based education and care service; and
- (c) allows, but does not require, playgroups to be certificated; and
- (d) provides for the funding of licensed early childhood services and certificated playgroups; and
- (e) provides for the regulation of licensed early childhood services and certificated playgroups; and
- (f) provides for a range of other matters generally in relation to early childhood education and care, including administration, curriculum, police vetting of employees, powers of entry, and offences.

s309 - Interpretation

In this Part, unless the context otherwise requires,—

early childhood education and care centre has the meaning set out in section 310 [see below]

early childhood service means an early childhood education and care centre, home-based education and care service, or hospital-based education and care service

foreign student, [at any time, means a person who is not then a domestic student]

Home-based education and care service—

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

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

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

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

Hospital-based education and care service means the provision of education or care to 3 or more children under the age of 6 who are receiving hospital care within the meaning of section 4(1) of the Health and Disability Services (Safety) Act 2001.

Licensed early childhood education and care centre means an early childhood education and care centre in respect of which the service provider holds a current licence issued under regulations made under section 317

Licensed early childhood service means an early childhood service in respect of which the service provider holds a current licence issued under regulations made under section 317

Licensed home-based education and care service means a home-based education and care service in respect of which the service provider holds a current licence issued under regulations made under section 317

Licensed hospital-based education and care service means a hospital-based education and care service in respect of which the service provider holds a current licence issued under regulations made under section 317

Minister means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Part

Ministry means the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Part

Playgroup means a group that meets on a regular basis to facilitate children's play and in respect of which—

- (a) no child attends for more than 4 hours on any day; and
- (b) more than half the children attending on any occasion have a parent or caregiver present in the same play area at the same time

Secretary means the chief executive of the Ministry

Service provider means each of the following:

- (a) in relation to an early childhood education and care centre, the body, agency, or person who or that operates the centre;
- (b) in relation to a home-based education and care service, the body, agency, or person who or that arranges, or offers to arrange, that education or care;
- (c) in relation to a hospital-based education and care service, the body, agency, or person who or that provides that education or care;
- (d) in relation to a playgroup, the person or persons who operate the playgroup.

Section 310 - Meaning of early childhood education and care centre

- (1) In this Part, but subject to subsections (2) to (4), early childhood education and care centre means premises used regularly for the education or care of 3 or more children (not being children of the persons providing the education or care, or children enrolled at a school being provided with education or care before or after school) under the age of 6—
 - (a) by the day or part of a day; but
 - (b) not for any continuous period of more than 7 days.
- (2) Subject to subsections (3) and (4), premises of the following kind are not early childhood education and care centres:
 - (a) registered schools (within the meaning of section 2(1) of this Act);
 - (b) hostels (within the meaning of section 2(1) of this Act);
 - (c) residences (within the meaning of section 2(1) of the Oranga Tamariki Act 1989).
 - (d) institutions under the control of the Ministry of Health or a district health board established by or under section 19 of the New Zealand Public Health and Disability Act 2000;
 - (e) hospital care institutions (within the meaning of section 58(4) of the Health and Disability Services (Safety) Act 2001);
 - (f) children's health camps operated by Children's Health Camps—The New Zealand Foundation for Child and Family Health and Development;
 - (g) premises where all the children present are members of the same family in the care of a member of the family or members of the same family in the care of a caregiver who is not acting for gain or reward;
 - (h) any premises, during any period of use for the education or care of children for any period not exceeding 4 hours a week in circumstances where the children's parents or caregivers are—
 - (i) in close proximity to the children and are able to be contacted; and
 - (ii) able to resume responsibility for the children at short notice;
 - (i) any premises, during any period of use for the operation of a playgroup, licensed home-based education and care service, or hospital-based education and care service.
- (3) Despite subsection (2), premises are early childhood education and care centres if they are—
 - (a) within premises of a kind described in subsection (2); and
 - (b) used regularly or principally for the education or care of 3 or more children under the age of 6 who are children of—
 - (i) staff who work within premises of a kind described in subsection (2); or
 - (ii) persons attending premises of that kind as residents or students.
- (4) An early childhood education and care centre may be operated within the premises of a registered school; and its status as an early childhood education and care centre is not affected by the fact of its being operated within those premises.

H1.2 ADMINISTRATIVE REQUIREMENTS

SOURCE: Part 26, s313 Education Act 1989

Section 313 - Administrative requirements

The service provider for every licensed early childhood service must keep, and make available to the Secretary on request,—

- (a) a register of the children who attend or have attended the service, specifying the date of birth of each; and
- (b) a record of the attendance of children at the service; and
- (c) a record of all fees and other charges paid in respect of children's attendance at the service; and
- (d) evidence that parents of children attending the service have regularly examined the attendance record; and
- (e) any other records that are necessary to enable the service's performance to be monitored adequately.

H1.3 CURRICULUM FRAMEWORK

SOURCE: Part 26, s314 Education Act 1989

Section 314 - Curriculum framework

- (1) The Minister may prescribe a curriculum framework for any or all of the following:
 - (a) all licensed early childhood services;
 - (b) all certificated playgroups;
 - (c) all licensed early childhood services and certificated playgroups.
- (2) The Minister may not prescribe a curriculum framework or amend any prescribed curriculum framework, unless the Minister has consulted with those organisations that appear to the Minister to be representative of persons likely to be substantially affected by the curriculum framework or the amendment, as the case may be.
- (3) As soon as practicable after prescribing or amending a curriculum framework, the Minister must publish a notice in the Gazette —
 - (a) stating that a curriculum framework has been prescribed or, as the case requires, amended; and
 - (b) setting out the curriculum framework or the amendment to the curriculum framework in its entirety, or stating where or how a copy of the curriculum framework or the amendment to the curriculum framework can be obtained by members of the public.
- (4) Without limiting the generality of subsection (1), a notice under subsection (3) may—
 - (a) specify different commencement dates for different provisions of the curriculum framework or for different purposes; and
 - (b) specify a transitional period during which service providers may elect to comply with another specified curriculum requirement and specify a date on which service providers must comply with the curriculum framework.
- (5) If a curriculum framework is prescribed under this section, every service provider for a licensed early childhood service or who operates a certificated playgroup, and to whom that curriculum framework applies, must implement that curriculum framework in accordance with any requirements prescribed in regulations made under section 317 or section 319, as the case may be.

H1.4 PARENT'S RIGHT OF ENTRY

SOURCE: Part 26, s319A Education Act 1989

Section 319A - Parent's right of entry

The parent or guardian of a child has a right of entry to a licensed early childhood education and care centre or to the premises where a licensed home-based education and care service is provided, whenever the child is there, except if the parent or guardian—

- (a) is subject to an order of a court that prohibits access to, or contact with, the child, either generally or with respect to the child while, or at a time when the child is, attending the centre or service; or
- (b) is subject to a warning under section 4 of the Trespass Act 1980 to stay off the premises; or
- (c) is suffering from a contagious or infectious disease likely to have a detrimental effect on the children if passed on to them; or
- (d) is, in the opinion of a person responsible for the operation of the centre or service, under the influence of alcohol or any other substance that has a detrimental effect on the functioning or behaviour of the person; or
- (e) is, in the opinion of a person responsible for the operation of the centre or service, exhibiting behaviour that is or is likely to be disruptive to the effective operation of the centre or service.

H1.5 POLICE VETTING OF EMPLOYEES

SOURCE: Part 26, ss319D-319FA Education Act 1989

Section 319D - Police vetting of non-teaching and unregistered employees at licensed early childhood services

The service provider of a licensed early childhood service must obtain a Police vet of every person—

- (a) whom the service provider appoints, or intends to appoint, to a position at the early childhood service; and
- (b) who is to work at the service during normal opening hours; and
- (c) who is not a registered teacher or holder of a limited authority to teach

Section 319E - Police vetting of contractors and their employees who work at licensed early childhood services

(1) The service provider of a licensed early childhood service must obtain a Police vet of every contractor, or the employee of a contractor, who has, or is likely to have, unsupervised access to children at the service during normal opening hours.

(2) In this section, **contractor** means a person who, under contract (other than an employment contract), works at a licensed early childhood service

Section 319F - Police vet must be obtained before person has unsupervised access to children

- (1) A Police vet required under [section 319D](#) or [319E](#) must be obtained before the person has, or is likely to have, unsupervised access to children at the service during normal opening hours.
- (2) The service provider of a licensed early childhood service that is required under [section 319D](#) to obtain a Police vet of a person must apply for the vet no later than 2 weeks after the person begins work at the service.

Section 319FA - Procedures relating to Police vets under section 319D or 319E

The service provider of a licensed early childhood service that applies for a Police vet of a person under [section 319D](#) or [319E](#)—

- (a) must ensure that strict confidentiality is observed for Police vets; and
- (b) must not take adverse action in relation to a person who is the subject of a Police vet until—
 - (i) the person has validated the information contained in the vet; or
 - (ii) the person has been given a reasonable opportunity to validate the information, but has failed to do so within a reasonable period.

Section 319FE - Further Police vets to be obtained every 3 years

- (1) The service provider of a licensed early childhood service must obtain a further Police vet of every person—
 - (a) on whom a Police vet has already been obtained under this Part by that service provider; and
 - (b) who still works at the service, or lives in the home, as the case may be.
- (2) A further Police vet required under subsection (1) must be obtained on or about every third anniversary of any Police vet that has been previously conducted on the person.
- (3) The requirement for a further Police vet under this section does not apply to a person on whom a Police vet under [section 319D](#) or [319E](#) would not be required if he or she were about to be appointed to a position at the licensed early childhood service or to work at the service at the time that the further Police vet would otherwise be required

H1.6 TRANSITION TO THE 2008 REGULATORY SYSTEM ¹

SOURCE: Part 26 Education Act 1989, ss319K-319O

All new services (licensed on or after 1 December 2008) will be immediately subject to the 2008 regulatory system. ERO will assess new services against those regulations and criteria.

However, a transition period applies to existing services, for the purposes of bringing them into the 2008 regulatory system in a systematic way. The transition period runs from 1 December 2008 to 30 November 2014.

Existing services can decide to apply to be licensed under the 2008 regulatory system at any time during the transition period. If services comply, they will be issued with a full licence under the 2008 regulatory system. If licensed services are unable to meet all regulatory requirements, the Ministry of Education will issue a transitional licence giving the service a period of up to 18 months to comply.

The following provisions are contained in the Education Amendment Act 2006 and set clear parameters around the transition phase for transitioning existing early childhood services to the new framework.

- Every **existing** licensed service and chartered care arranger will be **deemed** to be licensed for up to 6 years from 1 December 2008. (*Note that the Secretary for Education's powers to cancel, suspend and reclassify under regulations will continue.*) This means that existing regulations will be preserved for 6 years in relation to those services.²
- Existing service providers will need to apply for a licence under the new regulations within the six year timeframe, i.e all services must be licensed under the 2008 regulatory system by 30 November 2014.
- The Secretary for Education may also direct a service provider to apply for a licence under the new regulations.³
- All new services that have not operated before 1 December 2008 will be subject to the 2008 regulatory system and will be assessed against the regulations and criteria that apply. Any certificate or licence to operate will be issued under the 2008 regulatory system.
- An existing service provider that makes an application, continues to be licensed until the application has been determined.
- The Secretary for Education may issue transitional licences for up to 18 months where a service fails to meet new regulations.
- The Secretary for Education may cancel transitional licences if satisfied that any condition specified on the licence is not being complied with.

¹ New Part 26 inserted by section 53 of the Education Amendment Act 2006, commencing 1 December 2008 (refer to Education Amendment Act 2006 Commencement Order 2008).

² The Education (Early Childhood Centres) Regulations 1998, and the Education (Home-Based Care) Order 1992.

³ The Education (Early Childhood Services) Regulations 2008.

s 319K - Existing early childhood centres deemed to be licensed

- (1) Subject to subsections (2), (3), and (6), every early childhood centre that, immediately before the commencement of this section, was licensed as an early childhood centre is deemed to be licensed as an early childhood education and care centre under this subsection, and continues to be so licensed—
 - (a) for the relevant period, and in accordance with the regulations referred to in section 319N(1)(a) and (b); or
 - (b) if the service provider who operates that centre applies within the relevant period for a licence in accordance with regulations made under section 317, until that application is determined.
- (2) Despite subsection (1), the Secretary may give written notice to the service provider of an early childhood education and care centre that is deemed to be licensed under subsection (1), requiring the service provider who operates that centre to apply for a licence under regulations made under section 317 within 3 months of the date of that notice, and—
 - (a) if that service provider fails to make such an application within the specified period, the centre ceases to be licensed under subsection (1) at the end of that period; or
 - (b) if that service provider makes such an application within the required period, the centre continues to be licensed under subsection (1) until that application has been determined.
- (3) Despite subsection (1), if subsection (4) applies, the Secretary may, by written notice to the service provider who operates an early childhood education and care centre that is deemed to be licensed under subsection (1), declare that the centre is no longer licensed under subsection (1) and the notice has effect accordingly.
- (4) The Secretary may give a notice under subsection (3) only if the Secretary is satisfied that the service provider or the centre—
 - (a) does not comply with the regulations referred to in section 319N(1)(a) and (b); or
 - (b) does not comply with any conditions of the licence.
- (5) The Secretary may, despite the fact that the centre concerned does not meet the minimum requirements for the issue of a licence under regulations made under section 317, issue to the service provider operating the centre a transitional licence under those regulations that—
 - (a) expires on a date specified in the licence (being a date that is not later than 18 months after the date of issue); and
 - (b) is subject to any conditions specified on it.
- (6) If the Secretary is not satisfied that the conditions specified in a licence issued in circumstances described in subsection (5) are being complied with, the Secretary may, by written notice to the service provider operating the centre, cancel the licence.
- (7) Every notice under subsection (3) or subsection (6) must give reasons for the action taken.
- (8) Every early childhood centre must, while it is deemed to be licensed under subsection (1), be treated for the purposes of this Act as an early childhood centre licensed under regulations made under section 317 (as inserted by section 53 of the Education Amendment Act 2006).
- (9) Subsections (1) to (6) do not limit any powers to cancel, suspend, or reclassify a licence conferred by the regulations referred to in section 319N(1)(a) and (b).
- (10) In this section, relevant period means,—
 - (a) in relation to an early childhood centre for which a probationary licence was in force immediately before the commencement of this section, the period expiring on—
 - (i) the date specified in the probationary licence as the date on which it expires; or

- (ii) if a full licence is obtained under the regulations referred to in section 319N(1)(a) and (b) before the expiry of that probationary licence, the date that is 6 years after the commencement of this section:
- (b) in relation to an early childhood centre for which a provisional or full licence was in force immediately before the commencement of this section, the date that is 6 years after the commencement of this section.

s319L - Existing chartered care arrangers deemed to be licensed

- (1) Subject to subsections (2) and (3), every care arranger who, immediately before the commencement of this section, was a chartered care arranger is deemed to be a service provider who is licensed to operate a home-based education and care service for—
 - (a) a period of 6 years after the commencement of this section; or
 - (b) if the service provider who provides that service applies within that period for a licence in accordance with regulations under section 317, until that application is determined.
- (2) Despite subsection (1), the Secretary may give written notice to a service provider that is deemed to be licensed under subsection (1), requiring the service provider to apply for a licence under regulations made under section 317 within 3 months of the date of that notice, and—
 - (a) if that service provider fails to make such an application within the specified period, the home-based education and care service provided by that service provider ceases to be licensed under subsection (1) at the end of that period; or
 - (b) if that service provider makes such an application within the required period, the service continues to be licensed under subsection (1) until that application has been determined.
- (3) Despite subsection (1), if subsection (4) applies, the Secretary may by written notice to the service provider who provides the home-based education and care service that is deemed to be licensed under subsection (1), declare that the service is no longer licensed under subsection (1) and the notice has effect accordingly.
- (4) The Secretary may give a notice under subsection (3) only if the Secretary is satisfied that the service is not provided in a way that complies with the code of practice set out in the order referred to in section 319N(1)(c).
- (5) The Secretary may, despite the fact that the service provider or service concerned does not meet the minimum requirements for the issue of a licence under regulations made under section 317 or the service concerned is not provided in a way that complies with the code of practice set out in the order referred to in section 319N(1)(c), issue to the service provider providing the service a transitional licence under those regulations that—
 - (a) expires on a date specified in the licence (being a date that is not later than 18 months after the date of issue); and
 - (b) is subject to any conditions specified on it.
- (6) If the Secretary is not satisfied that the conditions specified in a licence issued in circumstances described in subsection (5), are being complied with, the Secretary may, by written notice to the service provider providing the service, cancel the licence.
- (7) Every notice under subsection (3) or subsection (6) must give reasons for the action taken.
- (8) Every home-based education and care service must, while it is deemed to be licensed under subsection (1), be treated for the purposes of this Act as a home-based education and care service licensed under regulations made under section 317 (as inserted by section 53 of the Education Amendment Act 2006).

s319M - Funding conditions during transitional period

- (1) This section applies in respect of—
 - (a) a service provider who operates an early childhood education and care centre that immediately before the commencement of this section was a chartered early childhood centre, during the period while it is deemed to be licensed under section 319K(1); and
 - (b) a service provider who operates a home-based education and care service and who immediately before the commencement of this section was a chartered care arranger, during the period while the service provider is deemed to be licensed under section 319L(1).
- (2) While this section applies in respect of a service provider who operates an early childhood education and care centre or a home-based education and care service, it is a condition of any grant paid to that provider under section 311 that the provider continues to comply with the relevant statement of desirable objectives and practices published in the *Gazette* under section 312 (as that section read before the commencement of this section).
- (3) The Minister may at any time, while this section applies in respect of any service provider, amend, revoke, or replace any statement of desirable objectives and practices referred to in subsection (2) by notice in the *Gazette*.

s319N - Existing regulations preserved

- (1) The following regulations are to be treated as regulations made under section 317 (as inserted by section 53 of the Education Amendment Act 2006):
 - (a) the Education (Early Childhood Centres) Regulations 1998 (SR 1998/85);
 - (b) the Education (Early Childhood Centres) Fees Regulations 1990 (SR 1990/262);
 - (c) the Education (Home-Based Care) Order 1992 (SR 1992/238).
- (2) Despite subsection (1), the regulations referred to in subsection (1) are not to be treated as regulations made under section 317 (as inserted by section 53 of the Education Amendment Act 2006) for the purposes of the following provisions:
 - (a) section 319K(1)(b), (2), and (5); and
 - (b) section 319L(1)(b), (2), and (5); and
 - (c) section 319O(1).
- (3) The regulations and order referred to in subsection (1) may be amended under section 317.

s3190 - Licence-exempt centres may continue

- (1) The service provider for an early childhood education and care centre, that immediately before the commencement of this section was a licence-exempt centre, may continue to operate that centre without a licence issued under regulations made under section 317 for a period that expires 6 years after the date of the commencement of this section.
- (2) Despite the repeal of sections 311A and 311B of this Act by the Education Amendment Act 2006, grants may continue to be paid after the commencement of this section to a service provider operating any early childhood education and care centre that, immediately before the commencement of this section, was a licence-exempt centre, for any period that the Minister considers reasonable (not exceeding 6 years after the date of the commencement of this section).
- (3) For the purposes of subsection (2), section 309 (as it read before the commencement of section 53 of the Education Amendment Act 2006) and sections 311A and 311B continue to apply as if—
 - (a) they were still in force; and
 - (b) every reference to the management of a centre were a reference to the service provider who operates the centre.

s139A - No corporal punishment in early childhood services or registered schools

- (1) No person who—
 - (a) is employed by a board (within the meaning of [section 2\(1\)](#)) at or in respect of a school or institution administered by the board; or
 - (b) is employed by the managers of a school registered under [section 35A](#) at or in respect of the school; or
 - (ba) is employed by the sponsor of a partnership school kura hourua at or in respect of the school; or
 - (c) is employed at an **early childhood service** (as defined in [section 309](#)); or
 - (d) owns, manages, or controls an early childhood service (as so defined),—
shall use force, by way of correction or punishment, towards any student or child enrolled at or attending the school, institution, or service.
- (2) No person who is supervising or controlling—
 - (a) on behalf of a board (within the meaning of [section 2\(1\)](#)) any student enrolled at or attending a school or institution administered by the board; or
 - (b) on behalf of the managers of a school registered under [section 35A](#) any student enrolled at or attending the school; or
 - (ba) on behalf of a sponsor of a partnership school kura hourua any student enrolled at or attending the school; or
 - (c) on behalf of the service provider of an **early childhood service** (as defined in [section 309](#)) any child enrolled at or attending the service,—
shall use force, by way of correction or punishment, towards the student or child.

s139AB - No seclusion at or on behalf of registered school or early childhood service

- (1) A person to whom
- (2) this section applies must not seclude any student or child who is enrolled at or attending a registered school or an **early childhood service**.
- (2) This section applies to a teacher or any other person who is—
 - (a) employed by a board; or
 - (b) employed by the managers of a school registered under [section 35A](#); or
 - (c) employed by the sponsor of a partnership school kura hourua; or
 - (d) employed or engaged by the service provider of **an early childhood service**; or
 - (e) providing education or care to children attending **an early childhood service**; or
 - (f) supervising or controlling any student or child on behalf of—
 - (i) a board; or
 - (ii) the managers of a school registered under [section 35A](#); or
 - (iii) the sponsor of a partnership school kura hourua; or
 - (iv) the service provider of **an early childhood service**.
- (3) In this section,—

early childhood service has the meaning given to it by [section 309](#)

seclude, in relation to a student or child, means to place the student or child involuntarily alone in a room from which he or she cannot freely exit or from which the student or child believes that he or she cannot freely exit

service provider has the meaning given to it by [section 309](#).

H2 CURRICULUM FRAMEWORK

EDUCATION (EARLY CHILDHOOD EDUCATION CURRICULUM FRAMEWORK) NOTICE 2008¹

Pursuant to section 314 of the Education Act 1989 (as amended by the Education Amendment Act 2006), the Minister of Education gives the following notice:

- 1 Title and commencement –
 - (1) This notice may be cited as the Education (Early Childhood Education Curriculum Framework) Notice 2008.
 - (2) This notice shall come into force on 1 December 2008.
- 2 Early Childhood Education Curriculum Framework (‘Curriculum Framework’) as set out in clause 6 of this notice is the Curriculum Framework prescribed for all licensed early childhood education and care services and certificated playgroups in accordance with section 314 of the Education Act 1989.
- 3 Every service provider for a licensed early childhood education and care service or certificated playgroup must implement the Curriculum Framework in accordance with the requirements (if any) prescribed in regulations made under Part 26 of the Education Act 1989.
- 4 Licensed early childhood education and care services and certificated playgroups must implement the Principles and the Strands, and can opt to use either the English or the te reo Māori versions set out in Part A or Part B of clause 6, or both. Kōhanga reo affiliated with Te Kōhanga Reo National Trust must implement Part C of clause 6.
- 5 The purpose of the Curriculum Framework is to provide the basis and context underpinning specific curriculum regulatory requirements in the Education (Early Childhood Services) Regulations 2008 or the Education (Playgroups) Regulations 2008 relating to the standards of education and care and to the associated curriculum criteria.
- 6 The Curriculum Framework [see next page]:

¹ NZ Gazette 4 September 2008, No 136, page 3617.

Early Childhood Education Curriculum Framework		
PART A	PART B	PART C
The Principles	Ngā Kaupapa Whakahaere	Ngā Kaupapa Whakahaere mō te kōhanga reo
Empowerment Early childhood curriculum empowers the child to learn and grow	Whakamana Mā te whāriki e whakatō te kaha ki roto i te mokopuna, ki te ako, kia pakari ai tana tipu	Whakamana Mā te whāriki o Te Kōhanga Reo e whakatō te kaha ki roto i te mokopuna ki te ako, kia pakari ai tana tipu.
Holistic Development Early childhood curriculum reflects the holistic way children learn and grow	Kotahitanga Mā te whāriki e whakaata te kotahitanga o ngā whakahaere katoa mō te ako a te mokopuna, mō te tipu o te mokopuna	Kotahitanga Mā te whāriki o Te Kōhanga Reo e whakaāta te kotahitanga o ngā whakahaere katoa mō te ako a te mokopuna, mō te tipu o te mokopuna.
Family and Community The wider world of family and community is an integral part of early childhood curriculum	Whānau Tangata Me whiri mai te whānau, te hapū, te iwi, me tauwiwi, me ō rātou wāhi nohonga, ki roto i te whāriki, hei āwhina, hei tautoko i te akoranga, i te whakatipuranga o te mokopuna	Whānau – Tangata Me whiri mai te whānau, te hapū, te iwi, me tauwiwi, me o rātou wāhi nohonga ki roto i te whāriki o te kōhanga reo, hei awhina, hei tautoko i te akoranga, i te whakatipuranga o te mokopuna
Relationships Children learn through responsive and reciprocal relationships with people, places and things	Ngā Hononga Mā roto i ngā piringa, i ngā whakahaere i waenganui o te mokopuna me te katoa, e whakatō te kaha ki roto i te mokopuna ki te ako	Ngā Honotanga Mā roto i ngā piringa, i ngā whakahaere i waenganui o te mokopuna me te katoa, e whakatō te kaha ki roto i te mokopuna ki te ako.
The Strands	Ngā Taumata Whakahirahira	Ngā Taumata Whakahirahira o te kōhanga reo
Well-being The health and well-being of the child are protected and nurtured	Mana Atua Ko tēnei te whakatipuranga o te tamaiti i roto i tōna oranga nui, i runga hoki i tōna mana motuhake, mana atuātanga	Mana Atua Kia mōhio ki te: Whakapono, wairua, Aroha, manaaki, whakakoakoa, whakahirahira

<p>Belonging Children and their families feel a sense of belonging</p>	<p>Mana Whenua Ko te whakatipuranga tēnei o te mana ki te whenua, te mana tūrangawaewae, me te mana toi whenua o te tangata</p>	<p>Mana Whenua Kia mōhio ki ōna tūrangawaewae, ki ōna marae, ki ngā pepeha o ōna iwi Kia mōhio ki te mana o ngā awa, whenua, o ngā maunga. Kia mōhio ki te manaaki, ki te tiaki i te whenua</p>
<p>Contribution Opportunities for learning are equitable and each child's contribution is valued.</p>	<p>Mana Tangata Ko te whakatipuranga tēnei o te kiritau tangata i roto i te mokopuna kia tū māia ai ia ki te manaaki, ki te tuku whakaaro ki te ao</p>	<p>Mana Tangata Kia mohio ki ōna whakapapa, ki te pātahi o te whānau, ki ōna hoa, whānau whānui. Kia mōhio ki ōna kaumātua Kia mōhio ki a Ranginui raua ko Papatūanuku</p>
<p>Communication The languages and symbols of children's own and other cultures are promoted and protected</p>	<p>Mana Reo Ko te whakatipuranga tēnei o te reo. Mā roto i tēnei ka tipu te mana tangata me te oranga nui</p>	<p>Mana Reo Kia mōhio i te rangatiratanga, i te tapu me te noa o tōna ake reo Kia matatau te tamaiti ki te whakahua i te kupu Kia mōhio ki tōna ao, te ao Māori</p>
<p>Exploration The child learns through active exploration of the environment</p>	<p>Mana Aotūroa Ko te whakatipuranga tēnei o te mana rangahau, me ngā mātauranga katoa e pā ana ki te aotūroa me te taiao</p>	<p>Mana Aotūroa Kia mōhio he wairua o ngā mea katoa Te whenua Te moana Te Ao whānui Ngā whetu, te hau, ngā rakau, ngā ngāngara</p>

Te reo Māori version	
Part B	Translation
Ngā Kaupapa Whakahaere	The Operating Principles
<p>Whakamana Mā te whāriki e whakatō te kaha ki roto i te mokopuna, ki te ako, kia pakari ai tana tipu.</p>	<p>Empowerment The early childhood curriculum will instil in the child the ability to learn, so that he/she grows strongly.</p>
<p>Kotahitanga Mā te whāriki e whakaata te kotahitanga o ngā whakahaere katoa mō te ako a te mokopuna, mō te tipu o te mokopuna</p>	<p>Unity The early childhood curriculum will reflect that all aspects of the child’s learning and growing are unified</p>
<p>Whānau Tangata Me whiri mai te whānau, te hapū, te iwi, me tauiwi, me ō rātou wāhi nohonga, ki roto i te whāriki, hei āwhina, hei tautoko i te akoranga, i te whakatipuranga o te mokopuna</p>	<p>Human Family The family, the sub-tribe, the tribe, non-Māori, and the communities they live in must be woven into the early childhood curriculum, to assist and support the learning and development of the child</p>
<p>Ngā Hononga Mā roto i ngā piringa, i ngā whakahaere i waenganui o te mokopuna me te katoa, e whakatō te kaha ki roto i te mokopuna ki te ako</p>	<p>Relationships Through close connections and other relationships between the child and all others, the child will have instilled in him/her the ability to learn</p>
Ngā Taumata Whakahirahira	The Important Levels
<p>Mana Atua Ko tēnei te whakatipuranga o te tamaiti i roto i tōna oranga nui, i runga hoki i tōna mana motuhake, mana atuātanga</p>	<p>Spirituality This is the development of the overall well-being of the child, along with their sense of self and spirituality</p>
<p>Mana Whenua Ko te whakatipuranga tēnei o te mana ki te whenua, te mana tūrangawaewae, me te mana toi whenua o te tangata</p>	<p>Belonging (to the land) This is the development of a sense of self, of belonging to the land (‘having a place to stand’), and indigenusness</p>
<p>Mana Tangata Ko te whakatipuranga tēnei o te kiritau tangata i roto i te mokopuna kia tū māia ai ia ki te manaaki, ki te tuku whakaaro ki te ao</p>	<p>Personal Strength This is the development of self-esteem in the child, so that he/she can confidently care for and contribute to the world.</p>

<p>Mana Reo Ko te whakatipuranga tēnei o te reo. Mā roto i tēnei ka tipu te mana tangata me te oranga nui</p>	<p>Language Status This is the development of language. Out of this will grow personal strength and general well-being</p>
<p>Mana Aotūroa Ko te whakatipuranga tēnei o te mana rangahau, me ngā mātauranga katoa e pā ana ki te aotūroa me te taiao</p>	<p>Place of the Natural World This is the development of exploration and all forms of knowledge about the natural world and the environment</p>

H3 LICENSING CRITERIA FOR EARLY CHILDHOOD EDUCATION AND CARE CENTRES 2008

SOURCE: Licensing Criteria for Early Childhood Education and Care Services 2008 [Ministry of Education publication]⁴

PURSUANT to regulation 41 of the Education (Early Childhood Services) Regulations 2008, the Minister of Education prescribes the following criteria.

- 1 **Title and commencement** – these criteria may be cited as the Licensing Criteria for Early Childhood Education and Care Centres 2008.

These criteria come into force on 1 December 2008. Since then, there have been 3 sets of amendments. These took place on 28 August 2009, 21 July 2011 and 21 May 2015, 26 February 2016 and 27 May 2016

- 2 **Application** – these criteria apply to all early childhood education and care centres (centre-based ECE services) as defined in Section 310 of the Education Act 1989, EXCEPT for centres operating under Limited Attendance Conditions, and Kōhanga Reo affiliated with Te Kōhanga Reo National Trust.

- 3 **Explanatory information** – in these criteria:

- (a) a copy of the minimum standard in each regulation is set out, followed by the criteria against which compliance will be assessed;
- (b) any specific documentation requirements to demonstrate compliance with a criterion are set out below the relevant criterion;
- (c) a hash symbol (#) indicates a requirement upon which a service provider may be required under regulation 55 to obtain a report from a Public Health Unit; and
- (d) a sun symbol (☀) indicates a requirement that may be located outside the premises (as defined in the interpretations section, clause 4(j)), if services can demonstrate they have adequate access to the required facilities. Adequate access in this context means that the facility:
 - i) can perform its function to the same level as if it were located on the premises;
 - ii) can be used by the service whenever they require it;
 - iii) is located close enough to the premises to ensure that people who need to use it can do so without difficulty, taking into account distance and comfort (such as not getting wet in bad weather); and
 - iv) if it is to be used by children, may be used by them in a manner that ensures their safety, supervision, and dignity can be assured.

⁴ [*Licensing Criteria for Centre Based Education and Care Services 2008*](#)

- 4 **Interpretation** – for the purpose of these criteria, unless the context indicates otherwise:
- (a) **adults providing education and care** means kaiako, teachers, supervisors, parent helpers, kaiawhina, fa’iaoga, or other adults who have a designated role of providing education and care to children at a service and are included in required adult:child ratios;
 - (b) **assessment** means the process of noticing children’s learning, recognising its significance, and responding in ways that foster further learning. It includes documenting some, but not necessarily all, of what and how children are learning in order to inform teaching, and make learning visible;
 - (c) **culture** means the understandings, patterns of behaviour, practices, and values shared by a group of people;
 - (d) **excursion** means –
 - i. being outside the licensed premises whilst receiving education and care from the service; but
 - ii. does not include an excursion for the purposes of emergency evacuations, drills or the receipt of urgent medical attention.
 - iii. regular excursion means – excursions that parents have agreed to at the time of their child’s enrolment, that are part of an ongoing planned and consistent routine of education and care.
 - iv. Special excursion means – excursions that parents have agreed to prior to the excursion taking place, that are not a regular excursion
 - (e) **existing service** means an early childhood service deemed to have been issued a licence under section 319K(1) of the Education Act 1989 at 1 December 2008;
 - (f) **medicine** means any substance used for a therapeutic purpose and includes prescription and non prescription preparations having the meaning assigned to these under Appendix 3;
 - (g) **parent** means –
 - i. the person (or people) responsible for having the role of providing day to day care for the child; and
 - ii. may include a biological or adoptive parent, step parent, partner of a parent of a child, legal guardian or member of the child’s family, whānau or other culturally recognised family group.

- (h) **philosophy** means a statement that –
 - i. outlines the fundamental beliefs, values, and ideals that are important to the people involved in the service – management, adults providing education and care, parents, families/whānau, and perhaps the wider community;
 - ii. identifies what is special about the service; and
 - iii. is intended to be the basis for decisions about the way the service is managed and about its direction in the future;
- (i) **policy** means a statement intended to influence and determine decisions, actions, and other matters;
- (j) **premises** means the land and buildings (or parts of buildings) intended for the exclusive use as a licensed early childhood education and care centre during hours of operation;
- (k) **procedure** means a particular and established way of doing something;
- (l) **process** means a goal-directed, interrelated series of actions, events, procedures, or steps;
- (m) **records** means information or data on a particular subject collected and preserved;
- (n) **regulation** means a regulation under the Education (Early Childhood Services) Regulations 2008;
- (o) **required adult:child ratio** means the adult:child ratio with which the service provider is required to comply under regulation 44(1)(b) or any direction by the Secretary under regulation 54(2);
- (p) **service** means an early childhood education and care centre;
- (q) **service curriculum** means all of the experiences, interactions, activities and events – both direct and indirect, planned and spontaneous – that happen at the service. Teaching practices including planning, assessment, and evaluation form part of the service curriculum; and
- (r) **service provider** means the body, agency, or person who or that operates the early childhood education and care centre.
- (s) **specified agency** means any government agency or statutory body that an early childhood education and care service is required to notify if there is a serious (or as defined) injury, illness, incident or allegation. This may include but is not limited to: the New Zealand Police; the Ministry of Health; Child, Youth and Family; WorkSafe New Zealand; and the Education Council.

5 **Purpose of criteria**

- (1) The criteria are to be used by the Secretary of Education to assess compliance with the minimum standards set out under regulations 43 and 45 to 47 of the Education (Early Childhood Services) Regulations 2008.
- (2) Regulations 43 and 45 to 47 impose minimum standards that each licensed service provider is required to comply with, and are set out in these criteria so that readers can see how the regulations and criteria fit together.

CURRICULUM

Regulation 43 – Curriculum standard: general

- (1) The curriculum standard: general is the standard that requires every licensed service provider to whom this regulation applies to—
 - (a) Plan, implement, and evaluate a curriculum that is designed to enhance children’s learning and development through the provision of learning experiences and that is consistent with any curriculum framework prescribed by the Minister that applies to the service; and that
 - (i) Responds to the learning interests, strengths, and capabilities of enrolled children; and
 - (ii) Provides a positive learning environment for those children; and
 - (iii) Reflects an understanding of learning and development that is consistent with current research, theory, and practices in early childhood education; and
 - (iv) Encourages children to be confident in their own culture and develop an understanding, and respect for, other cultures; and
 - (v) Acknowledges and reflects the unique place of Māori as tangata whenua; and
 - (vi) Respects and acknowledges the aspirations of parents, family and whānau; and
 - (b) Make all reasonable efforts to ensure that the service provider collaborates with the parents and, where appropriate, the family or whānau of the enrolled children in relation to the learning and development of, and decision making about, those children; and
 - (c) Obtain information and guidance from agencies with expertise in early childhood learning and development, to the extent necessary, to—
 - (i) Support the learning and development of enrolled children; and
 - (ii) Work effectively with parents and, where appropriate, family or whānau.
- (2) Each licensed service provider to whom this regulation applies must comply with the curriculum standard: general.

6 Criteria to assess Curriculum standard

Professional practice

- C1** The service curriculum is consistent with any prescribed curriculum framework that applies to the service.
- C2** The service curriculum is informed by assessment, planning and evaluation (documented and undocumented) that demonstrates an understanding of children’s learning, their interests, whānau, and life contexts.
- C3** Adults providing education and care engage in meaningful, positive interactions to enhance children’s learning and nurture reciprocal relationships.
- C4** The practices of adults providing education and care demonstrate an understanding of children’s learning and development, and knowledge of relevant theories and practice in early childhood education.

Culture and identity

- C5** The service curriculum acknowledges and reflects the unique place of Māori as tangata whenua. Children are given the opportunity to develop knowledge and an understanding of the cultural heritages of both parties to Te Tiriti o Waitangi.
- C6** The service curriculum respects and supports the right of each child to be confident in their own culture and encourages children to understand and respect other cultures.

Children as learners

- C7** The service curriculum is inclusive, and responsive to children as confident and competent learners. Children's preferences are respected, and they are involved in decisions about their learning experiences.
- C8** The service curriculum provides a language-rich environment that supports children's learning.
- C9** The service curriculum provides children with a range of experiences and opportunities to enhance and extend their learning and development – both indoors and outdoors, individually, and in groups.
- C10** The service curriculum supports children's developing social competence and understanding of appropriate behaviour.

Working with others

- C11** Positive steps are taken to respect and acknowledge the aspirations held by parents and whānau for their children.
- C12** Regular opportunities (formal and informal) are provided for parents to:
- communicate with adults providing education and care about their child, and share specific evidence of the child's learning; and
 - be involved in decision-making concerning their child's learning.
- C13** Information and guidance is sought when necessary from agencies/services to enable adults providing education and care to work effectively with children and their parents.

Documentation required

Documentation that provides evidence of the service's compliance with criteria C1 – C13. Documentation may take a variety of forms to suit the service's operation (such as portfolios, wall displays, policies and procedures) but must include:

1. A process for providing positive guidance to encourage social competence in children (C10);
2. A process for providing formal and informal opportunities for parents to:
 - communicate with adults providing education and care about their child, and share specific evidence of the child's learning; and
 - be involved in decision-making concerning their child's learning (C12); and
3. A record of information and guidance sought from agencies and/or services (C13).

PREMISES AND FACILITIES

Regulation 45 – Premises and facilities standard: general

- (1) The premises and facilities standard: general is the standard that requires every licensed service provider to whom this regulation applies—
 - (a) To use premises and facilities that, having regard to the number and age range of the children attending the premises, provide sufficient and suitable space for a range of activities, facilities for food preparation, eating, sleeping, storage, toileting, and washing, and sufficient and suitable heating, lighting, noise control, ventilation, and equipment to support—
 - (i) Appropriate curriculum implementation by the service provider; and
 - (ii) Safe and healthy practices by the service provider; and
 - (b) To comply with the requirements of Schedule 4 (which relates to activity spaces).
- (2) Each licensed service provider to whom this regulation applies must comply with the premises and facilities standard: general.

7 Criteria to assess premises and facilities standard

General

- PF1** 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** 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.
- PF3** The premises conform to any relevant bylaws of the local authority and the Building Act 2004.

Documentation required:

1. Code Compliance Certificate issued under Section 95 of the Building Act 2004 for any building work undertaken, or alternatively any other documentation that shows evidence of compliance.
 2. Current Annual Building Warrant of Fitness (if the premises require a compliance schedule under Section 100 of the Building Act 2004).
- PF4** 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.
- PF5** All indoor and outdoor items and surfaces, furniture, equipment and materials are safe and suitable for their intended use.

- PF6** # Floor surfaces are durable, safe, and suitable for the range of activities to be carried out at the service (including wet and messy play), and can easily be kept clean.
- PF7** Any windows or other areas of glass accessible to children are either:
- made of safety glass; or
 - covered by an adhesive film designed to hold the glass in place in the event of it being broken; or
 - effectively guarded by barriers which prevent a child striking or falling against the glass.
- PF8** There are sufficient spaces for equipment and material to be stored safely. Stored equipment and materials can be easily and safely accessed by adults, and where practicable, by children.
- PF9** ☀ 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.
- PF10** ☀ # There are facilities (other than those required for PF26) or alternative arrangements available for the preparation and cleaning up of paint and other art materials.
- PF11** ☀ There is a telephone on which calls can be made to and from the service.
- PF12** # 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 16°C; and
 - acoustic absorption materials if necessary to reduce noise levels that may negatively affect children's learning or wellbeing.
- PF13** 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.
- PF14** 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.

Food preparation and eating spaces

PF15 There is a safe and hygienic place for children attending to sit when eating.

PF16☼# 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.

PF17 Kitchen and cooking facilities or appliances are designed, located, or fitted with safety devices to ensure that children cannot access them without adult assistance or supervision.

Toilet and handwashing facilities

PF18 There is at least 1 toilet for every 1-15 persons. Persons are defined as children aged two and older and teaching staff that count towards the required adult:child ratio.

PF19 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 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 # There is means of drying hands for children and adults that prevents the spread of infection.

PF22 # At least one of the toilets for use by children is designed to provide them with some sense of privacy.

PF23☼ There is a toilet suitable for adults to use.

Other sanitary facilities

PF24 # A tempering valve or other accurate means of limiting hot water temperature is installed for the requirements of criterion HS13 to be met.

PF25 # There are safe and stable nappy changing facilities that can be kept hygienically clean. These facilities are located in a designated area near to handwashing facilities, and are adequately separated from areas of the service used for play or food preparation to prevent the spread of infection. The design, construction, and location of the facilities ensure that:

- they are safe and appropriate for the age/weight and number of children needing to use them;
- children's independence can be fostered as appropriate;
- children's dignity and right to privacy is respected;
- some visibility from another area of the service is possible.

PF26 ☀️ # There are suitable facilities provided for washing sick or soiled children and a procedure outlining how hygiene and infection control outcomes will be met when washing sick and soiled children.

Documentation required

A procedure outlining how the service will ensure hygiene and infection control outcomes are met when washing sick or soiled children.

PF27 ☀️ # There is space (away from where food is stored, prepared, or eaten) where a sick child can:

- be temporarily kept at a safe distance from other children (to prevent cross-infection);
- lie down comfortably; and
- be supervised.

PF28 There is a first aid kit that:

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

Sleep

PF29 # 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.

PF30 # 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 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.

PF32 **SESSIONAL SERVICES ONLY:** A safe and comfortable place to sleep (such as a bed, stretcher, mattress, or couch) is available for children aged two and older that require sleep or rest during a session.

- PF33** ALL-DAY SERVICES ONLY: Space is available for children aged two 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 children not sleeping or resting as necessary.
- PF34** 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 two and older.
- PF35** SESSIONAL SERVICES ONLY: A designated space is available to support the provision of restful sleep for children under the age of two 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: Furniture or items intended for children to sleep on (such as cots, beds, stretchers, or mattresses) are provided at a ratio of at least one to every 5 children under the age of two.
- PF37** ALL-DAY SERVICES ONLY: A designated space is available to support the provision of restful sleep for children under the age of two 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 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 one to every 2 children under the age of two.

HEALTH AND SAFETY

Regulation 46 – Health and safety practices standard: general

- (1) The health and safety practices standard: general is the standard that requires every licensed service provider to whom this regulation applies to—
 - (a) Take all reasonable steps to promote the good health and safety of children enrolled in the service; and
 - (b) Take all reasonable precautions to prevent accidents and the spread of infection among children enrolled in the service; and
 - (c) Take all reasonable precautions to ensure that the premises, facilities, and other equipment on those premises are—
 - (i) kept in good repair; and
 - (ii) maintained regularly; and
 - (iii) used safely and kept free from hazards; and
 - (d) take all reasonable steps to ensure that appropriate procedures are in place to deal with fires, earthquakes, and other emergencies.
- (2) Each licensed service provider to whom this regulation applies must comply with the health and safety practices standard: general.

8 Criteria to assess health and safety practices standard

Hygiene

HS1 # Premises, furniture, furnishings, fittings, equipment, and materials are kept safe, hygienic, and maintained in good condition.

HS2 # 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.

HS3 # A procedure for the changing (and disposal, if appropriate) of nappies is displayed near the nappy changing facilities and consistently implemented.

Documentation required

A procedure for the changing (and disposal, if appropriate) of nappies.

The procedure aims to ensure:

- safe and hygienic practices; and
- that children are treated with dignity and respect.

Emergencies

HS4 The premises are located in a building that has a current Fire Evacuation Scheme approved by the New Zealand Fire Service.

Documentation required:

A current Fire Evacuation Scheme approved by the New Zealand Fire Service.

- HS5** Designated assembly areas for evacuation purposes do not unnecessarily place children at further risk.
- HS6** Heavy furniture, fixtures, and equipment that could fall or topple and cause serious injury or damage are secured.
- HS7** 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.

- HS8** Adults providing education and care are familiar with relevant emergency drills and regularly carry these out with the children on an at least three-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.

Sleep

- HS9** A procedure for monitoring children's sleep is displayed and implemented and a record of children's sleep times is kept.

Documentation required:

1. 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 well-being at least every 5-10 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.

- HS10#** 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.

HS11# 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.

Hazards and Excursions

HS12 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 (e.g. 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.

HS13 # The temperature of warm water delivered from taps that are accessible to children is no higher than 40°C, and comfortable for children at the centre to use.

HS14 # Water stored in any hot water cylinder is kept at a temperature of at least 60°C.

HS15 # All practicable steps are taken to ensure that noise levels do not unduly interfere with normal speech and/or communication, or cause any child attending distress or harm.

HS16 # Safe and hygienic handling practices are implemented with regard to any animals at the service. All animals are able to be restrained.

HS17 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/caregivers have given prior written approval of their child's participation and of the proposed ratio for
 - i. regular excursions at the time of enrolment; and
 - ii. 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.

HS18 If children travel in a motor vehicle while in the care of the service:

- each child is restrained as required by Land Transport legislation;
- required adult: child ratios are maintained; and
- the written permission of a parent of the child is obtained before the travel begins (unless the child is traveling with their parent).

Documentation required:

Evidence of parental permission for any travel by motor vehicle. In most cases, this requirement will be met by the excursion records required for criterion HS17. However, services that provide transport for children to and/or from the service must also gain written permission from a parent upon enrolment.

Food and drink

HS19 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 these needs. 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.

HS20 #Food is prepared, served, and stored hygienically.

HS21 #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.

HS22 Children are supervised while eating.

HS23 APPLIES ONLY TO SERVICES LICENSED FOR UNDER 2 YEAR OLDS: Infants under the age of 6 months and other children unable to drink independently are held semi-upright when being fed. Any infant milk food given to a child under the age of 12 months is of a type approved by the child's parent.

Child health and wellbeing

HS24 # Rooms used by children are kept at a comfortable temperature no lower than 16°C (at 500mm above the floor) while children are attending.

HS25 There is an adult present at all times for every 50 children attending (or part thereof) that:

- holds a current first aid qualification gained from a New Zealand Qualifications 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 qualification requirements.

Documentation required:

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

HS26#All practicable steps are taken to ensure that children do not come into contact with any person (adult or child) on the premises who is suffering from a disease or condition likely to be passed on to children and likely to have a detrimental effect on them.

Specifically:

- the action specified in Appendix 2 is taken for any person (adult or child) suffering from particular infectious diseases; and
- children who become unwell while attending the service are kept at a safe distance from other children (to minimise the spread of infection) and returned to the care of a parent or other person authorised to collect the child without delay.

HS27 All practicable steps are taken to get immediate medical assistance for a child who is seriously injured or becomes seriously ill, and to notify a parent of what has happened.

Documentation required:

1 A record of all injuries, illnesses and incidents that occur at the service.

Records include:

- the child's name;
- the date, time, and description of the injury, incident or illness;
- actions taken and by whom; and
- evidence that the parents have been informed.

2 A procedure outlining the service's response to injury, illness and incident, including the review and implementation of practices as required.

HS28 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:

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

HS29 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.

HS30 Children are washed when they are soiled or pose a health risk to themselves or others.

Child protection

HS31 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 three years.

Documentation required:

1. A written child protection policy that contains:
 - a. provisions for the service's identification and reporting of child abuse and neglect;
 - b. information about the practices the service employs to keep children safe from abuse and neglect; and
 - c. 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.

HS32 All practicable steps are taken to protect children from exposure to inappropriate material (for example, of an explicitly sexual or violent nature).

HS33 No person on the premises uses, or is under the influence of, alcohol or any other substance that has a detrimental effect on their functioning or behaviour during the service's hours of operation.

Notification

HS34 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.

GOVERNANCE, MANAGEMENT AND ADMINISTRATION

Regulation 47 – Governance, management, and administration standard: general

- (1) The governance, management, and administration standard: general is the standard that requires every licensed service provider to whom this regulation applies to ensure that—
 - (a) the service is effectively governed and is managed in accordance with good management practices; and
 - (b) the service provider regularly collaborates with—
 - (i) parents and family or whānau of children enrolled in the service; and
 - (ii) the adults responsible for providing education and care as part of the service; and
 - (c) appropriate documentation and records are—
 - (i) developed, maintained, and regularly reviewed; and
 - (ii) made available where appropriate—
 - (A) at any reasonable time on request by a parent of a child enrolled in the service; and
 - (B) at any time on request by any person exercising powers or carrying out functions under Part 26 of the Act; and
 - (d) adequate information is made available to parents of enrolled children and, where appropriate, to the families or whānau of those children about the operation of the service; and
 - (e) all reasonable steps are taken to provide staff employed or engaged in the service with adequate professional support, professional development opportunities, and resources.
- (2) Each licensed service provider to whom this regulation applies must comply with the governance, management, and administration standard: general.

9 Criteria to assess governance, management and administration standard

Parent involvement and information

GMA1 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 Childhood Education 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 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.

GMA2 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 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.

GMA4 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.

Professional practices

GMA5 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 childhood education and care.

GMA6 An ongoing process of self-review helps the service maintain and improve the quality of its education and care.

Documentation required:

1. 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, and includes a schedule showing timelines for planned review of different areas of operation.
2. Recorded outcomes from the review process.

GMA7 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.

GMA7A All children's workers who have access to children are safety checked in accordance with the Vulnerable Children Act 2014.

Safety checks must be undertaken and the results obtained before the worker has access to children.

The results of the safety checks must be recorded and the record kept as long as the person is employed at the service.

Every children's worker must be safety checked every three years. Safety checks may be carried out by the employer or another person or organisation acting on their behalf.

Documentation required:

1. A written procedure for safety checking all children's workers before they have access to children that meets the safety checking requirements of the Vulnerable Children Act 2014; and
2. A record of all safety checks and the results.

Planning and documentation

GMA8 An annual plan guides the service's operation.

Documentation required:

An annual plan identifying 'who', 'what', and 'when' in relation to key tasks undertaken each year.

GMA9 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.

GMA10 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 Childhood Education 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 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 Early Childhood Education Funding Handbook for children currently attending, and children who have attended in the previous 7 years.

GMA12 Required documentation is made available as appropriate to parents and Government officials having right of entry to the service under Section 319B of the Education Act 1989.

10 Appendix 1: First Aid kit requirements for criterion PF28

First aid kits should include the following:

- disposable gloves
- sterile saline solution (or some other means of cleansing wounds)
- safety pins, bandage clips or tape (or some other means of holding dressings in place)
- sterile wound dressings, including sticking plasters
- rolls of stretchable bandage
- triangular bandage (or some other means of immobilising an upper limb injury)
- scissors
- tweezers
- cold pack
- first aid manual
- National Poisons Centre phone number
 - 0800 POISON / 0800 764766.
- Healthline phone number
 - 0800 611 116

The first aid kit may also contain any Category (i) medicines the service chooses to use, providing the appropriate written authority has been gained from parents (see criterion HS28).

11 Appendix 2: Infectious diseases for criterion HS26

Disease	Time between exposure and sickness	This disease is spread by...	Early signs	Infectious period	Action to be taken
Chicken Pox	10 - 21 days.	Coughing and sneezing. Also direct contact with weeping blisters.	Fever and spots with a blister on top of each spot.	From up to 5 days before appearance of rash until lesions have crusted (usually about 5 days).	Exclude from service for one week from date of appearance of rash.
* Hepatitis A	15 - 50 days (average 28 - 30 days.)	From food or water contaminated with faeces from an infected person; or by direct spread from an infected person.	Nausea, stomach pains, general sickness. Jaundice a few days later.	From about 2 weeks before signs appear until 1 week after jaundice starts.	Exclude from service for 7 days from onset of jaundice.
* Hepatitis B	6 weeks to 6 months (Usually 2 to 3 months.)	Close physical contact with the blood or body fluids of an infected person.	Similar to Hepatitis A.	The blood and body fluids may be infectious several weeks before signs appear and until weeks or months later. A few are infectious for years.	Exclude from service until well or as advised by GP.

Note: Conditions marked with an asterisk (*) are notifiable diseases.

Disease	Time between exposure and sickness	This disease is spread by...	Early signs	Infectious period	Action to be taken
*Measles (immunisation usually prevents this illness)	Usually 10 days to onset, 14 days to rash.	Coughing and sneezing. Also direct contact with the nose/throat secretions of an infected person.	Running nose and eyes, cough, fever and a rash.	From the first day of illness until 4 days after the rash begins.	Exclude from service for at least 5 days from onset of rash.
* Meningitis (Meningococcal)	2 - 10 days (usually 3 to 4 days).	Close physical contact such as sharing food and drinks, kissing, sleeping in the same room.	Generally unwell, fever, headache, vomiting, sometimes a rash. Urgent treatment is important!	Until 24 hours after starting treatment with antibiotics.	Exclude from service until well enough to return. With no symptoms for at least 48 hours.
* Mumps (immunisation usually prevents this illness)	12-25 days, Usually 16 - 18 days.	Contact with infected saliva -Coughing, sneezing, kissing and sharing food or drink.	Pain in jaw, then swelling in front of ear, and fever.	For one week before swelling appears until 9 days after.	Exclude from service until 9 days after swelling develops, or until child is well, whichever is sooner.
Ringworm	10 - 14 days.	Contact with infected persons skin or with their clothes or personal items. Also through contaminated floors and shower stalls.	Flat spreading ring-shaped lesions.	While lesions are present, and while fungus persists on contaminated material.	Restrict contact activities e.g. gym and swimming until lesions clear.

Note: Conditions marked with an asterisk (*) are notifiable diseases.

Disease	Time between exposure and sickness	This disease is spread by...	Early signs	Infectious period	Action to be taken
* Salmonella	6 - 72 hours (usually 12 - 36 hours).	Undercooked food like chicken, eggs and meat; food or water contaminated with faeces from an infected person or animal; or direct spread from an infected person or animal.	Stomach pain, fever and diarrhoea.	Until well, and possibly weeks or months after.	Exclude from service until well with no further diarrhoea.
Streptococcal Sore Throat	1 - 5 days.	Usually contact with the secretions of a strep sore throat.	Headache, vomiting, sore throat.	For 24 - 48 hours after treatment with antibiotics is started.	Exclude from service until 24 hours after antibiotics started.
* Whooping Cough (immunisation usually prevents this illness)	5-21 days, usually 7 - 10 days.	Coughing. Adults and older children may pass on the infection to babies.	Running nose, persistent cough followed by "whoop", vomiting or breathless-ness.	From runny nose stage and for 3 weeks after the onset of cough, if not treated with antibiotics. Or until 5 days of antibiotic treatment.	Exclude from service until 21 days from onset of coughing or after 5 days antibiotics.

Note: Conditions marked with an asterisk (*) are notifiable diseases.

12 Appendix 3: Categories of medicine and written authority required from parents for criterion HS28

Category (i) medicines

Definition – a non-prescription preparation (such as arnica cream, antiseptic liquid, insect bite treatment spray etc) that is :

- *not ingested;*
- *used for the 'first aid' treatment of minor injuries; and*
- *provided by the service and kept in the first aid cabinet.*

Authority required – *a written authority from a parent given at enrolment to the use of specific preparations on their child for the period that they are enrolled. The service must provide (at enrolment, or whenever there is a change) specific information to parents about the Category (i) preparations that will be used.*

Category (ii) medicines

Definition – a prescription (such as antibiotics, eye/ear drops etc) or non-prescription (such as paracetamol liquid, cough syrup etc) medicine that is:

- *used for a specified 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 required – *a written authority from a parent given at the beginning of each day the medicine is administered, detailing what (name of medicine), how (method and dose), and when (time or specific symptoms/circumstances) medicine is to be given.*

Category (iii) medicines

Definition – a prescription (such as asthma inhalers, epilepsy medication etc) or non-prescription (such as antihistamine syrup, lanolin cream etc) medicine that is:

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

Authority required – *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.*

H4 – Vulnerable Children Act 2014 ⁵

All early learning services must have a child protection policy and safety check their children's workers. These are requirements under the Vulnerable Children Act 2014 (VCA). They are also required under our licensing and certification criteria. As well as applying to early learning services, the VCA requirements also apply to any organisation we fund to provide services to children.

We've developed a guide to help you navigate the VCA. The guide brings together a range of information and resources already published, and complements the advice and guidelines produced by the Children's Action Plan. We recommend you use the guide in conjunction with the other resources and the licensing criteria and guidance, outlined below.

Download [Vulnerable Children Act 2014 - a practical guide \[PDF, 5.2 MB\]](#)

Child Protection Policy

All early learning services must have a child protection policy in place now. The policy must:

- contain provisions on the identification and reporting of child neglect and abuse, and
- be written, and
- be reviewed every 3 years.

The child protection policy licensing criteria and guidance provide detailed information on how to meet this requirement:

- [HS31 for centre-based services](#)
- [HS28 for home-based services](#)
- [HS13 for hospital-based services](#)

The guidelines [Safer organisations, Safer children \[PDF; 1.06MB\] \(external link\)](#) also provide information about child protection policies.

Safety checking

All children's workers must be safety checked according to the standards set out in the VCA and safety checking regulations. This includes a workforce restriction – anyone convicted of a specified offence cannot be employed or engaged as a core children's worker, unless they have an exemption.

The safety checking requirements are being phased in:

- From 1 July 2015, all new core children's workers must be safety checked.
- From 1 July 2016, all new non-core children's workers must be safety checked.
- By 1 July 2018, all existing core children's workers must be safety checked.
- By 1 July 2019, all existing non-core children's workers must be safety checked.

The safety checking licensing criteria and guidance provide detailed information on how to meet these requirements:

- [GMA7A for centre-based services](#)
- [GMA6A for home-based services](#)
- [GMA7A for hospital-based services](#)
- [MA6 for playgroups](#)

⁵ Please note the following is copied from the Ministry of Education's website – [www.education](http://www.education.govt.nz)

The guidelines [Safer recruitment, Safer children \[PDF; 1.06MB\] \(external link\)](#) provide information about choosing safe people to work with children.

The publication [Children's worker safety checking under the Vulnerable Children Act 2014 \[PDF; 1.32MB\] \(external link\)](#) provides advice for interpreting and applying the safety checking regulations.

The following resources will help you meet your safety checking requirements:

- [New and existing employees \[PDF, 550 KB\]](#)
- [Students on practicum \[PDF, 547 KB\]](#)
- [Relievers \[PDF, 47 KB\]](#)
- [Adult checks \[PDF, 53 KB\]](#).

Screening service for early learning service owner operators who are children's workers

A screening service is available to undertake safety checks for specified groups of children's workers.

This service has been established to provide third party safety checks for children's workers in the health, education and social development sectors who are self-employed or sole-practitioners.

In the education sector, this screening service has been approved for early learning service owner operators.

All children's workers need to be safety checked. If you are an early learning service owner operator, and you also work in that early learning service as a children's worker, then you need to arrange to be safety checked. You may choose to use this approved screening service to undertake that safety check for you.

There is a cost to applicants for the service.

To find out more about the service, including costs, go to the screening service provider's website, [CV Check \(external link\)](#).

H5 - Food safety for ECE services (Food Act requirements) ⁶

Food Act requirements for early learning services

All early childhood education (ECE) services and kōhanga reo must make sure the food they serve children is safe and suitable to eat. Some services will have additional obligations under the [Food Act 2014 \(external link\)](#) (the Food Act) and the [Food Regulations 2015 \(external link\)](#) (the Food Regulations).

The Food Act applies to anyone who provides food as part of their business. It requires people to provide food that is safe and suitable to eat.

What it means for early learning services

Most education and care centres and kōhanga reo that provide meals and food to children will need to operate under [National Programme 2 \(external link\)](#).

Working with a national programme is the way that lower-risk food businesses operate under the Food Act. There are 3 levels of national programmes, which are based on the food safety risk of the activities a business does. All national programmes require:

- record keeping to show that you're selling safe food
- registration of business details with your local council
- one or more visits from a verifier recognised by MPI.

Not all early learning services need to register. Only early childhood education (ECE) centres or kōhanga reo that cook meals or prepare food – like sandwiches or salads – need to register under national programme 2.

You don't need to register if:

- all the food is brought in by children from home (for example in lunch boxes)
- you only serve fruit or pre-packaged snacks that don't need to be kept cold (like muffins or crackers)
- you prepare food with the children only as part of the curriculum
- you run a home-based service
- you don't charge fees (or otherwise charge for the food).

To find out if the type of food provision at your ECE centre or kōhanga reo is subject to National Programme 2, you can use the MPI [Where do I fit tool \(external link\)](#).

The Ministry for Primary Industries (MPI) has a [web page for ECE providers \(external link\)](#), which lets you check if you need to register and how to go about it. It has links to all the food safety information you need to follow the rules – including guidance prepared especially for ECE centres.

What you need to do if you are on National Programme 2

- Make food safe. Meet food safety requirements by, for example, keeping hands and kitchen surfaces clean, keeping cooked and raw food separate, and cooking and storing food at the right temperature.
- Register with your local Council. If you run more than one centre – and they are in different council areas – you can choose to register with MPI

⁶ Please note the following is copied from the Ministry of Education's website – [www.education](http://www.education.govt.nz)

- Arrange for a verifier to visit your centre to check you're making safe food. You don't need to be verified straight away. You should choose a verifier before you register and list them on your application form. If you can't find a suitable verifier straight away, you can register without one for now.
- Get checked. Your verifier will visit to make sure you're set up to make safe and suitable food. They'll also look through the food records that you are required to maintain.

For more information on the steps to register, go to [MPI's web page for ECE services \(external link\)](#). MPI have developed [guidance for the early learning sector \[PDF; 250KB\] \(external link\)](#) so you are prepared for your verification visit.

What you need to do if you are exempt

If you don't need to register, there's nothing else you have to do except make sure any food you serve is safe to eat. [Get food safety tips \(external link\)](#).

When you need to do it

- New centres must be verified within a month of opening.
- Existing centres and kōhanga reo should have now applied for registration and will have up to 12 months from registering to get verified.
- You'll be verified once every 3 years, if there are no food safety issues.