

ERO ECE Review Methodology: External

In English and Pacific Centre-based standalone services

Introduction

Following recent legislative changes, ERO is expanding its role to include regulation in early childhood education and care services. This document provides an overview of ERO's methodology for reviews of centre-based services (stand-alone services that are not part of a Governing Organisation) under these new conditions.

An integrated, risk-based approach across two phases

In assuming the role of regulator, ERO is taking a risk-based approach to assessing ECE services' compliance against Regulatory Standards.

ERO is working in an integrated way – undertaking **one review** that looks at both compliance and quality. ERO's Early Learning Framework for Improvement (ELFI), which includes Domains, Sub Domains, and Supporting Indicators provides the basis for an evaluation of quality.

An ERO review of centre-based services takes place over two distinct phases. In Phase One, services initially provide ERO with some information about compliance through an Assurance Statement and quality through a self-assessment against the ELFI. Once onsite, ERO will look at compliance with Regulated Standards using selected high-risk licensing criteria.

In Phase Two, depending on the outcome of Phase One, ERO will undertake either a full compliance assessment or focus on quality at or above the Regulated Standards through an evaluation of quality against seven Sub Domains.

This document sets out, in more detail, the methodology and what this looks like in practice for ECE services. It is broken down into the following five sections, set out below.

1. **Domains for review** – Setting out the five review domains and seven sub-domains that ERO evaluates.
2. **ERO's judgement framework** – Setting out the framework used to inform review findings across all Domains.
3. **One review using a two-phased approach** – Outlining in more detail what happens in each phase of this new approach.
4. **Early Learning Framework for Improvement (ELFI)** – A shared sector tool to support ERO and services to evaluate where services sit on the quality continuum.
5. **Reporting and review frequency** – Setting out at a high level what reporting will look like and how review frequency will be determined.



Part 1 - Domains for review

An ERO review of a centre-based service is organised in relation to five Domains and seven Sub Domains that best align with the Regulatory Standards – set out in the table below.

ERO will assess compliance across all five Domains and will evaluate quality at or above the Regulatory Standard for Domains One and Two.

As part of the integrated-review process, ERO will take a more focused evaluation and reporting of two Domains: Curriculum, teaching and learning and Leadership, governance and management through the Sub Domains. The seven Sub Domains have been selected for evaluating quality as they have a significant impact on learner outcomes.

Domain	Sub Domain
1. Curriculum, Teaching & Learning	Children's progress
	Engagement and belonging
	Teaching practices including early literacy and maths
	Curriculum and assessment
	Equity and inclusion
2. Leadership, Governance & Management	Leadership
	Service improvement
3. Qualifications, Ratios & Service Size	
4. Health & Safety	
5. Premises & Facilities	



Part 2 - Judgement framework

ERO will use a judgement framework to inform review findings across the Domains, reflecting a quality continuum ranging from below Regulated Standards to above Regulated Standards. The judgements are set out in the table below.

Judgements based on Quality Continuum	Judgements Descriptions
Excelling	This means consistently strong performance is demonstrated. This is the highest judgement.
Doing Well	This means mostly strong performance and consistent practice is demonstrated. Key conditions for success are in place, and there is a focus on improvement.
Meeting Regulatory Standard	The minimum requirements are being met.
Improvement Required - Minor Non-Compliance	There are some gaps in meeting minimum requirements, but those gaps are minor and can easily be addressed.
Improvement Required - Major Non-Compliance	There are significant gaps in meeting minimum requirements, and urgent improvement is required.

A note on when different judgements are used

In Phase One when assessing compliance using a set of Lead Indicators (high-risk licensing criteria), ERO will use the following judgements: *Meeting Regulatory Standard*, *Improvement Required – Minor Non-Compliance*, and *Improvement Required – Major Non-Compliance*.

In a Phase Two quality evaluation, the judgements of *Improvement required (Non-compliance identified)*, *Meeting*, *Doing Well* and *Excelling* will be used in Domains One and Two – as they are the two Domains where ERO evaluates quality above the Regulated Standards. This is dependent on the review pathway taken based on the outcome of Phase One. More information on the two phases can be found in the next section.



Part 3 – One Review using a two-phased approach

An ERO review of a centre-based service has two distinct phases:

- Phase One – focusing on provision of information from the service about quality above Regulated Standards, and compliance with Regulated Standards
- Phase Two – focuses on either a full compliance check or an evaluation of quality in relation to Domains One and Two.

a) Phase One

In Phase One, ERO will look at a combination of information from the service about quality above the Regulated Standards using the services' self-assessment against an ELFI (pre-onsite) and compliance with Regulated Standards (onsite).

The on-site component of Phase 1 of the review involves an initial assessment of compliance against **Lead Indicators** (from the Licensing Criteria) across all five Domains. The Lead Indicators are a selected set of Licensing Criteria that are of high importance for children's wellbeing, health, and safety. They span across the five Regulatory Standards and account for nearly 25 percent of the Licensing Criteria. See the table below. Judgements will be based on both the number of Lead Indicators assessed as meeting Regulatory Standards and the weightings for severity of indicators, in terms of children's wellbeing, health and safety.

Lead indicators

Regulatory Standard	Lead Indicator
Curriculum	C103 interactions
	C110 Developing social competence
Governance, management and administration	GMA101 Display of information
	GMA106 Safety checking
Health and safety	HS104 Fire evacuation scheme
	HS105 Emergency plan and supplies
	HS106 Emergency drills
	HS107 Sleep monitoring
	HS108 Hazard and risk management
	HS113 Excursions
	HS114 Travel by motor vehicle
	HS116 Supervision while eating
	HS121 Medical assistance and incident management
	HS122 Medicine administration
Premises and facilities	HS125 Child protection
	PF 101 Design, layout and supervision of premises
	PF111 Lighting, ventilation, temperature control and acoustic materials
	PF112 Outdoor activity space
Qualifications, ratios and service size	PF113 Infant and toddler space (applies only to services licensed for under 2-year-olds)
	Regulation 44: Qualifications, ratios and service size Schedule 2: Adult to child ratios



A note on children at immediate risk during a review

If Review Officers identify children are at immediate risk at any stage of the review, the review will be paused immediately, and the risk addressed. A decision will be made by ERO about the focus of the ongoing review. This may result in a stronger focus on compliance.

Transition to Phase Two

The findings of Phase One determine the pathway for Phase Two – and ERO will make the review pathway taken and reasoning clear in services' reports.

This Phase Two pathway will be either:

- **A more in-depth focus on compliance** – including an assessment of all the Licensing Criteria across all Regulatory Standards/Domains.
- **A focus on quality at or above the Regulatory Standard** – including looking at Sub Domains across Domains One and Two to determine how well services are building on minimum regulatory requirements.

Both pathways will require judgements to be made about the level of risk associated with any non-compliances identified and categorise them accordingly – see below table.

Improvement required - Minor non-compliance	Minor non-compliance with Regulatory Standards across one or more domains. This includes: • A change of wording in a policy or procedure or slightly out of date • Minor inconsistencies in record keeping • A process is evident in practice but not fully documented. • Minor non-compliances do not exceed five.
Improvement required - Major non-compliance requires regulatory intervention	Major non-compliance with Regulatory Standards across one or more domains. This includes: • Ill treatment of children • A risk not easily mitigated • Physical hazards that pose a risk to children • Systemic failure in health and safety systems, processes and / or practices.



b) Phase Two

Phase Two - focus on compliance

This pathway is an in-depth assessment of all Licensing Criteria to determine the extent of regulatory compliance. This assessment will be undertaken in services where significant or substantive non-compliance starts to emerge and/or additional criteria are evident related to staff turnover, compliance history, complaints, incidents and capacity and willingness of the service provider to rectify any breaches. ERO will consider a compliance pathway for Phase Two when a service has:

- Half or more (10+) of the lead indicators non-compliant

OR

- Immediate risk

OR

- A quarter or more (5+) of the lead indicators non-compliant AND factors such as considerable turnover, history of non-compliance, complaints or incidents, or poor capability/willingness to address breaches.

Phase Two – focus on quality at or above the Regulatory Standards

In services where no or minimal non-compliance against the Lead Indicators is identified, the focus of Phase Two will be an evaluation of quality at or above Regulatory Standards across the Domains of Curriculum, Teaching & Learning and Leadership, Governance & Management.

This pathway is an in-depth evaluation of quality using the seven Sub Domains and 19 Supporting Indicators, set out in the table below.

Domain	Sub Domain	Supporting indicators
Curriculum, teaching and learning	Children's progress	Outcomes for learners
		Learning-focused partnerships
	Engagement and belonging	Engaged in meaningful in meaningful learning experiences
		Sense of belonging
		Intentional teaching practices



	Teaching practices including early literacy and maths	Supporting children's literacy and maths learning
		Purposeful learning environments
		Supporting children's social competence
	Curriculum and assessment	Curriculum planning, implementation and assessment
		Priorities for children's learning
		Assessment for learning
	Equity and inclusion	Equitable and inclusive opportunities to learn
		Culturally responsive practices
		Integrates te reo and tikanga Māori
Leadership, governance and management	Leadership	Enacting priorities and plans for improvement
		Supporting professional practice, curriculum implementation and resourcing
		Parent and whānau involvement in decision making
	Service improvement	Planning for improvement -annual and strategic priorities
		Regular review, evaluation and reporting

Part 4 - Early Learning Framework for Improvement (ELFI)

ERO's existing Improvement Framework has been updated to reflect the Domains, Sub Domains and Supporting Indicators for evaluating quality at or above the Regulatory Standard.

The seven Sub Domains and 19 Supporting Indicators form the basis of the ELFI, which is used by ERO to make and report judgements about quality at or above the Regulatory Standards. Judgement descriptors for the Sub Domains and Supporting Indicators clearly show progression along a quality continuum from *Improvement required (Non-compliance identified)*, *Meeting*, *Doing Well* and *Excelling*.

The ELFI is a shared sector tool to support services to self-assess where they sit on the quality continuum. A separate optional **Quality in Our Service Tool** and associated guidance supports services to use the ELFI as part of the review process.



Part 5 – Reporting and review frequency

Reporting

All reviews result in the publication of a report. Reports provide:

- a judgement about provision across all five Domains in respect to compliance with Regulatory Standards
- a judgement about quality at or above the Regulatory Standard in Curriculum; Teaching & Learning; and Leadership, Governance & Management in relation to each of the seven Sub Domains (using the 19 Supporting Indicators).

Non-compliance identified as part of a review may lead to a regulatory intervention aligned with a suite of graduated enforcement tools.

Risk-based determination of review frequency

The risk-based approach ERO is taking to ECE reviews will vary the frequency of return times and scope and/or depth of reviews. This will depend on the level of risk identified through prior reviews and other risk indicators that may emerge outside of a review activity.

Risk categories include:

High Risk

providers who are not currently meeting Regulated Standards

Moderate Risk

providers who are currently meeting Regulated Standards but may not have systems in place to stay there, or have a history of not meeting Regulated Standards

Low Risk

providers who consistently meet Regulatory Standards

A range of approaches to validate and respond to risk level will include differing return times and responsive, tailored review visits.