



# Report: Draft ECE reform Cabinet paper for consultation

To:	Hon David Seymour, Associate Minister of Education		
Cc:	Hon Erica Stanford, Minister of Education		
Date:	3/03/2025	Deadline:	6/03/2025
Security Level:	Confidential	Priority:	High
From:	John Brooker General Manager	Phone:	9(2)(a)
Drafter:	Hannah Aitken	METIS No:	1343459

## Why are we sending this to you?

- This report seeks your agreement to joint departmental and Ministerial consultation on the attached draft early childhood education (ECE) reform Cabinet paper.
- This Cabinet paper will accompany the Ministry for Regulation's (MfR) Cabinet paper: *Paper 1: Early Childhood Regulatory Sector Review: recommendations and next steps*.

## What action do we need, by when?

- We propose running a short joint departmental and Ministerial consultation from 7-13 March on this draft Cabinet paper to ensure it can be finalised for lodgement on 20 March and considered by EXP Cabinet Committee on 25 March.
- Please return this signed report and any feedback on the draft Cabinet paper by 6 March.

## Key facts, issues and questions

- The attached draft Cabinet paper proposes ECE regulatory reforms that respond to the recommendations of the MfR's ECE regulatory sector review (the Review) and reduce regulatory burden. It seeks decisions on policy proposals to be included in the Education and Training (ECE Reform) Amendment Bill, changes to regulations, 9(2)(f)(iv) and financial implications.
- This report sets out an overview of the draft Cabinet paper 9(2)(f)(iv)

## Alignment with Government priorities

1. This report aligns with Government priorities to improve the quality of regulation, reduce regulatory burden and costs to business, and deliver better public services.


## Background

2. This report follows previous advice that provided information on the high-level scope of the draft Cabinet paper [METIS 1343100 refers]. **Annex 1** attaches this draft Cabinet paper, which incorporates feedback from the Education Review Office (ERO) and the MfR.
3. 9(2)(f)(iv) [REDACTED]


## Overview of the Cabinet paper

4. The draft Cabinet paper includes 9(2)(f)(iv) [REDACTED]  
s9(2)(f)(iv) [REDACTED] The proposals set out in the draft Cabinet paper include proposed amendments to the Education and Training Act 2020 (the Act) and the associated regulations to:
  - 4.1. Clarify the purpose, objectives and guiding principles for regulating ECE services
  - 4.2. Clarify agency roles and responsibilities
  - 4.3. 9(2)(f)(iv) [REDACTED]
  - 4.4. Require the performance of key regulatory functions
  - 4.5. Define the powers of the regulator
  - 4.6. Provide new graduated enforcement tools
5. The draft Cabinet paper seeks approval for the Associate Minister of Education, Minister of Education, Minister of Finance, 9(2)(f)(iv) [REDACTED] to make additional joint decisions on policy and legislative issues arising from these proposals, 9(2)(f)(iv) [REDACTED]  
[REDACTED]
- 9(2)(f)(iv) [REDACTED]  
[REDACTED]
6. 9(2)(f)(iv) [REDACTED]  
[REDACTED]
7. 9(2)(f)(iv) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]
8. 9(2)(f)(iv) [REDACTED]  
[REDACTED]  
[REDACTED]

9. 9(2)(f)(iv)




9(2)(f)(iv)



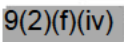
10. 9(2)(f)(iv)




9(2)(f)(iv)



9(2)(f)(iv)




11. 9(2)(f)(iv)



12. 9(2)(f)(iv)



13. 9(2)(f)(iv)



14. 9(2)(f)(iv)

9(2)(f)(iv)

15. 9(2)(f)(iv)

9(2)(f)(iv)

16. 9(2)(f)(iv)

17. 9(2)(f)(iv)

18. 9(2)(f)(iv)

18.1. 9(2)(f)(iv)

18.2. 9(2)(f)(iv)

9(2)(f)(iv)

19. 9(2)(f)(iv)

20. 9(2)(f)(iv)

20.1. 9(2)(f)(iv)

20.2. 9(2)(f)(iv)

21. 9(2)(f)(iv)



9(2)(f)(iv)

22. 9(2)(f)(iv)

22.1. 9(2)(f)(iv)

22.2. 9(2)(f)(iv)

22.3. 9(2)(f)(iv)

22.4. 9(2)(f)(iv)

23. 9(2)(f)(iv)

## Risks

24. As previously outlined in METIS 1343100, the speed of this legislative process means that elements of good regulatory stewardship and consultation will not be undertaken. Wherever possible, we are undertaking options analysis and impact analysis at pace. However, this timing and pace does limit quality assurance.

25. These issues combined increase the policy failure risks and litigation risks associated with this work. The most effective mitigations for these risks would require adequate time to assess options and consult with regulated parties.

26. 9(2)(f)(iv)

26.1. 9(2)(f)(iv)

26.2. 9(2)(f)(iv)

26.3. 9(2)(f)(iv)

26.4. 9(2)(f)(iv)

## Next steps

27. We are seeking your feedback and agreement to:

- Circulate the attached draft Cabinet paper for joint agency and Ministerial consultation by 6 March.
- 9(2)(f)(iv)

28. 9(2)(f)(iv)

29. 9(2)(f)(iv)

- 9(2)(f)(iv)
- 9(2)(f)(iv)

30. The immediate next steps for the ECE reform Cabinet paper are summarised below:

Milestones	Date/s
Discussion of education reforms with Minister Stanford	4 March
Joint departmental and Ministerial consultation	7 – 13 March
Further advice on allocating regulatory functions and interface issues	13 March
Final Cabinet paper to MO	19 March
Lodge Cabinet paper	20 March
EXP Committee meeting	25 March
Cabinet meeting	31 March
Issue drafting instructions to PCO	1 April

## Annexes

The following is annexed to this paper:

Annex 1: Draft ECE reform Cabinet paper for consultation – *Paper 2: Response to the Early Childhood Education Regulatory Sector Review*

**Withheld in full under section 9(2)(f)(iv) of the Act.**



## Recommended actions

The Ministry of Education recommends you:

- a. **note** the attached draft Cabinet paper (Annex 1) seeks decisions on policy options for the legislative amendments to be included in the Education and Training (ECE Reform) Amendment Bill, changes to regulations, 9(2)(f)(iv), and financial implications; **Noted**
- b. **agree** to provide the Ministry of Education with feedback on the draft Cabinet paper by 6 March, as well as feedback on the proposed approach to financial implications set out in this report; **Agree / Disagree**
- c. **agree** to circulate the attached draft Cabinet paper for Ministerial consultation from 7 to 13 March; **Agree / Disagree**
- d. **note** that the Ministry of Education will undertake departmental consultation with 9(2)(f)(iv) the Treasury on the draft Cabinet paper at the same time as Ministerial consultation; **Agree / Disagree**
- e. **note** that following consultation we will provide you with a revised version of the Cabinet paper on 19 March, ahead of lodging for EXP Committee on 20 March; **Agree / Disagree**

### Proactive Release:

- f. **agree** that this report is not released until final Budget and Cabinet decisions are made on the ECE reform work, with any information needing to be withheld done so in line with the provisions of the Official Information Act 1982. **Agree / Disagree**

John Brooker  
General Manager  
Te Pou Kaupapahere

Hon David Seymour  
Associate Minister of Education

03/03/2025

5/3/25

**Appendix 2: Indicative timeline for responding to the recommendations of the Early Childhood Regulatory Sector Review**

[Attached separately]

Withheld in full under section 9(2)(f)(iv) of the Act

Proactively Released