



Report: School attendance - Amending principals' exemptions and removing walking distance exemptions

To:	Hon David Seymour, Associate Minister of Education		
Cc:	Hon Erica Stanford, Minister of Education		
Date:	29/07/2025	Deadline:	1/08/2025
Security Level:	In-Confidence	Priority:	High
From:	Sela Finau	Phone:	04 439 6480
Drafter:	Chloe Banks	METIS No:	1351707
Why are we sending this to you?			
To provide you with the draft Cabinet paper - School attendance: Amending principals' exemptions and removing walking distance exemptions (attached as Annex 1).			
What action do we need, by when?			
<ul style="list-style-type: none">• We are seeking your feedback on the attached draft Cabinet paper, due to be lodged by 10am Thursday 14 August.• We seek your agreement to departmental and Ministerial consultation occurring concurrently from 1 August to 8 August, with proposed agencies detailed below.• Please return the signed paper and/or your feedback by Friday 1 August.			

Alignment with Government priorities

1. This report aligns with Government priorities by progressing work to support the Government's target for 80 percent of students being present for more than 90 percent of the term by 2030. It also supports the Government's achievement target as regular attendance supports student achievement.

Background

2. We have previously provided you with advice relating to options for removing walking distance and principals' exemptions (METIS 1350406 refers). Following your agreement with the recommended options in these papers, we have drafted the attached Cabinet paper for Cabinet consideration.
3. The paper outlines your preferred options for amending and repealing legislation that relates to these exemptions, including:
 - 3.1. Amending section 45 so that it provides for principals to be able to exempt attendance only on the grounds provided in regulations.
 - 3.2. Repealing section 44 from the Act, as this is no longer used and no longer fits the modern education context.
 - 3.3. Repealing section 46, as this will become redundant if section 44 is repealed.
 - 3.4. Empowering the making of regulations which specify the requirements that must be met before a principal may exempt a student from attendance, including an ability to prescribe the:
 - 3.4.1. grounds on which a principal may grant an exemption from attendance;
 - 3.4.2. types of evidence a principal must receive before granting an exemption from attendance; and
 - 3.4.3. duration of any exemption a principal may grant.
4. Full options analysis will be provided a regulatory impact statement, which will be sent to your office at a later date.

Departmental and Ministerial consultation

5. Following your agreement, the Cabinet paper will proceed through departmental consultation from 1 to 8 August, allowing sufficient time for changes to be made before lodging. We propose that Ministerial consultation occurs concurrently and understand that your office will facilitate this. A final copy of the Cabinet paper will be provided to your office before the paper is lodged on Thursday 14 August 2025.
6. We suggest that consultation occurs with the following agencies: Department of the Prime Minister and Cabinet, Ministry of Social Development, Oranga Tamariki – Ministry for Children, Whaikaha – Ministry of Disabled People, New Zealand Police, and the Treasury.

Next Steps

7. Key deliverables and timeframes for the proposed changes are provided in the table below:

Milestone	Timing
Proposed departmental and Ministerial consultation	1 – 8 August 2025
Lodge Cabinet paper	14 August 2025
Cabinet Social Outcomes Committee	20 August 2025
Cabinet	25 August 2025
Drafting instructions issued	26 August 2025

Annexes

The following are annexed to this paper:

Annex 1: Cabinet paper - School attendance: Amending principals' exemptions and removing walking distance exemptions [attached separately]

Recommended Actions

The Ministry of Education recommends you:

- a. **note** that we have attached a draft Cabinet paper for your consideration, and these are due to be lodged at Cabinet office on Thursday 14 August 2025. Noted
- b. **note** that, following your feedback, we can provide you with an updated version of the draft Cabinet paper before agency and Ministerial consultation begins. Noted
- c. **agree** that the attached Cabinet paper proceed through departmental consultation with the Department of the Prime Minister and Cabinet, Ministry of Social Development, Oranga Tamariki – Ministry for Children, Whaikaha – Ministry of Disabled People, New Zealand Police, and the Treasury. Agree / Disagree
- d. **agree** that Ministerial consultation occurs concurrently with departmental consultation, with Ministerial consultation being led by your office. Agree / Disagree

Proactive Release:

- e. **agree** that the Ministry of Education release this paper once the proposed changes are finalised, with any information needing to be withheld done so in line with the provisions of the Official Information Act 1982. Agree / Disagree



Sela Finau

General Manager, Learner Success and
Tiriti Policy

Te Pou Kaupapahere

29/07/2025



Hon David Seymour

Associate Minister of Education

31/7/25