



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

Report: Proposals for changing the Hostels Regulations

To:	Hon Erica Stanford, Minister of Education		
Date:	25 February 2026	Deadline:	6 March 2026
Security Level:	In-Confidence	Priority:	Medium
From:	9(2)(a) [redacted] [redacted] Senior Policy Managers	Phone:	9(2)(a) [redacted]
Drafter:	9(2)(a) [redacted]	METIS No:	1354688
Title ok for release?	Yes		

Why are we sending this to you?

- You are receiving this because we are seeking your decisions on changes to the Education (Hostels) Regulations 2005 (the Hostels Regulations). Following this, we will prepare a draft paper to the Social Outcomes Cabinet Committee seeking policy decisions.

What action do we need, by when?

- We need your decisions on recommendations for changing the Hostels Regulations.
- Please return the signed paper by Friday 6 March 2026.

Key facts, issues and questions

- At your direction, we have been reviewing the Hostels Regulations to align them with the recommendations of the Royal Commission of Inquiry into Abuse in Care (RCOI).
- We ran targeted sector engagement in November and got feedback on nine draft proposals to increase safeguards for boarders, strengthen complaints processes, and provide fit-for-purpose monitoring tools. These proposals were strongly supported by the sector with a few exceptions, which have led to revised advice.
- The nine proposals for change in this paper:
 - strengthen and clarify the existing regulations to better safeguard boarders,
 - inform and empower boarders and families, and
 - strengthen compliance monitoring and the regulator's ability to respond to risk.
- The proposals often trade off hostel flexibility for certainty and increased effectiveness for increased regulatory burden, in line with the objectives to strengthen safety of boarders.

Alignment with Government priorities

1. This report aligns with Government priorities by progressing a review of regulatory settings for school hostels as part of the Government's response to the RCOI. It also supports reform of education agencies functions which is aimed at driving improvements in system responsiveness and performance, delivering on your education priorities.

Background

2. You made decisions on the scope, timing and objectives of a review of the Hostels Regulations in October 2025. This included agreement to a two-phase review and to undertaking targeted sector engagement in late 2025 (METIS 133417 refers).
3. The first phase of the review aims to address child protection and safety concerns given that the regulations are 20 years out of date. Changes to the Hostels Regulations are planned to be in place before the regulatory function for hostels transfers from the Ministry to the Education Review Office (ERO) later this year (CAB-25-MIN-0208 refers).
4. The second phase of the review will occur in 2027 and focus on gaps in pastoral care requirements and modernising the Hostels Regulations. ERO has reiterated the importance of this phase of the Hostels Regulations review, to ensure that hostels provide for a safe and emotional environment that supports both learning and wellbeing.

We are seeking your decisions on changes to the regulations

5. We previously advised that the regulatory settings for hostels are not set appropriately for a regulatory system that has child safety objectives (METIS 133417 refers). Issues we identified included:
 - i. requirements to protect boarders from abuse have significant gaps,
 - ii. the complaints process lacks strong accountability mechanisms, and
 - iii. monitoring and oversight tools are not fit-for-purpose.

We recommend adding a new objective for Phase 1 of the review

6. In November 2025, you agreed to three of the following objectives for Phase 1 of the review. After completing further analysis, we recommend you agree to a fourth objective, informing and empowering boarders and families. This is a key objective for proposals to strengthen the hostels complaints process which became clear during our analysis of sector feedback in late 2025.

Objectives	
The hostels regulatory system effectively keeps students in hostels safe and well and ensures appropriate action is taken when safety or wellbeing is	Clear and strong safety requirements – strengthen and clarify rules for how hostels will keep students safe and well.
	Inform and empower boarders and families – address the power imbalance between hostels and boarders.
	Fit-for-purpose regulator tools – improve the regulator's ability to oversee and monitor hostels to better enable compliance and enforcement when appropriate.

compromised through:	Proportionate regulation – the burden of rules and their enforcement should be proportionate and appropriate for managing the risk of harm to students.
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The proposals have been informed by a range of perspectives

7. We undertook targeted sector engagement in November, including an online survey. The initial proposals we tested were based on the problem analysis in our November report. The sector strongly supported most of the proposals with the exceptions being overnight supervision, sleeping spaces, and escalating and reporting on complaints (a summary of feedback is in Annex 1). Most of these proposals have been revised as a result.
8. The proposals in this paper fall into four broad categories:
 - i. stronger, clearer requirements for hostels to help ensure boarder safety,
 - ii. stronger complaints processes to empower boarders and parents,
 - iii. new regulatory powers and requirements to support compliance monitoring, and
 - iv. supporting the transfer to ERO.
9. They have been assessed against how effectively they fulfil the review objectives, and key principles of good regulation including certainty, flexibility and proportionality (Annex 2 contains an overview of our proposals for change, including an assessment comparing proposals with the status quo).
10. The development of these proposals was also informed by findings and recommendations from the RCOI; regulation of boarding schools in similar jurisdictions (including the United Kingdom), and feedback from ERO and the Ministry for Regulation. ERO supports the proposals. We considered other options for most proposals. These have generally not been included in this paper for reasons of clarity and succinctness but will be included in the Regulatory Impact Statement.

Stronger, clearer requirements for hostels will help ensure boarder safety

Proposal 1: Overnight supervision

Hostels must meet new minimum standards for overnight supervision including:

- Boarders must be able to easily contact a member of staff overnight
- Staff are assigned responsibility for specific students overnight
- Owners must submit a risk management plan for overnight supervision for licensing or renewal
- At least one staff member must be present in each hostel building overnight (unless all students are aged 16+)

Hostels may seek an exemption from the one-staff-per building requirement where they can show that alternative arrangements provide an equivalent level of supervision and safety.

To support hostels to implement the new requirements:

- The regulator must develop guidelines for hostels to assist them in complying with the requirement,
- Currently licenced hostels will have three years to comply with the one-staff-per building requirement, to allow for reorganising finances or reconfiguring layout.

11. Many instances of assault in hostels have occurred at night and in the context of inadequate supervision. The Hostels Regulations require that hostels are at all times staffed with a ratio of staff to boarders that ensures the safety of the boarders present in the hostel. We have heard from targeted sector engagement that many hostels do not have a staff member present in each building where boarders sleep. To clarify and strengthen minimum standards for overnight supervision, we are recommending requiring hostels to meet new minimum standards for overnight supervision.

12. 9(2)(g)(i)

[REDACTED]

13. The exception for boarders aged at least 16 years is to align with other regulatory frameworks that enable 16-year-olds to leave home without their parent's consent. Hostels would still be required to provide an appropriate level of overnight supervision for these students.

14. The proposed requirement for at least one staff member per building has potential to create significant costs for some hostels. In our online sector survey, just under half of submitters were concerned that hostels would struggle to comply with this requirement due to having to employ many more overnight staff or to reconfigure/rebuild hostel buildings.

15. The exemption for hostels with arrangements that provide equivalent safety, and supervision is important to ensure that the requirement for one-staff-per-building is appropriately targeted and proportionate to the risk of harm. Around a third of submitters thought that having a staff member in a hostel building overnight to supervise students was not necessary. Many said effective overnight supervision could be achieved through CCTV, security alarms and roaming staff.

16. Hostels are funded through fees charged to the parents of boarders and any increase in costs for hostels will likely be passed onto parents through higher fees. We anticipate that hostels, which serve schools with students that face higher barriers to achievement, may face financial barriers to compliance. This is because they are likely to be charging lower boarding fees than other schools and parents may be less able to accommodate an increase. Hostels with a small number of boarders, and therefore a limited ability to increase revenue from fees, may also struggle.

17. It is possible that some hostels will be unable to comply, or to meet the criteria for an exemption, and face closure due to an inability to supervise students safely overnight. The likelihood or scale of this scenario is uncertain. We anticipate that, in this case, the sector may call for increased funding, either through raising boarding allowances or one-off funding for upgrading hostel buildings. We are working to develop an assessment of costs for hostels from this proposal and flow-on implications for the upcoming Regulatory Impact Statement.

18. The NZBSA has sent us a letter raising concerns that the overnight supervision and the sleeping spaces proposals (below) could require significant operational or capital changes. They have asked that the process be slowed down and further sector consultation be undertaken before final policy decisions are made. 9(2)(g)(i)

[REDACTED]

19. ERO has also indicated a preference for more detailed proposals in some areas to minimise future legal risks when exercising powers as the regulator. We will be having further conversations with both organisations in the next few weeks to work through these issues and will reflect the outcomes of those discussions when we provide you with a draft Cabinet paper.

Proposal 2: Sleeping spaces

Hostels must provide sleeping spaces that:

- Allow for dignity, privacy and safety taking into account the number, gender, age and any special requirements of boarders
- Have appropriate separation between genders and age groups.

To support hostels to implement the new requirements,

- The regulator must develop guidelines for sleeping spaces, including appropriate separation between genders and age groups,
- Hostels will have three years to comply.

20. Hostel owners are currently required to provide sleeping spaces that are “reasonably necessary” taking into account the number, age and sex of the boarders. We consider that current settings do not provide sufficient certainty about minimum standards.
21. We have found some similar regulatory frameworks¹ in other jurisdictions that explicitly require student sleeping areas to be separated by age and or gender to prevent risk of harm to those who may be more vulnerable. During engagement, the sector strongly supported a similar proposal.
22. This proposal provides additional certainty and effectiveness to the rules for sleeping spaces while also allowing flexibility for situations where risk of harm is lower, for example, when boarders have a similar developmental age despite having different chronological ages.
23. Around a third of the submitters to our online survey did not think that the proposed change would be easy for some hostels to comply with due to the need for significant reconfiguration of buildings. In addition, around 20 percent of submitters said that their hostels did not separate sleeping spaces by age groups. However, many submitters seemed confused about whether students with small age differences would need to be separated and what degree of separation or security would be required. As a result, it is unclear how widespread the need for change may be or the degree of difficulty for hostels to comply.

Proposal 3: Restraint, corporal punishment and seclusion

- Hostels must meet the requirements of the Education (Physical Restraint) Rules 2024, which include recording, notifying, monitoring and reporting on restraint incidents; ensuring staff training; and developing prevention and de-escalation plans.
 - Corporal punishment and seclusion be prohibited in the hostels licensing criteria
24. Regulation of restraint is looser for hostels than for schools, which face restrictions in the Education and Training Act 2020 (the Act) and the Education (Physical Restraint) Rules 2024

¹ The Welsch *National Minimum Standards for Boarding Schools* requires “appropriate separation between genders and age groups” and the New Zealand *Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021* requires “appropriate separation of international and tertiary learners from others of different ages”.

(the Restraint Rules). Use of corporal punishment or seclusion in hostels is not explicitly prohibited in education legislation, as it is for schools.

25. This proposal raises the strength and certainty of conditions for use of restraint on boarders. There will be a higher compliance burden for hostels who use physical restraint, including potentially needing to pay for specialist training. However, the great majority of submitters to our survey thought that this change would be easy for hostels to comply with. We consider the additional burden is proportionate and appropriate for the risk of harm being managed.
26. The restraint proposal will require minor amendments to sections 99 and 100 of the Act. We recommend these minor amendments be made through an Amendment Paper to the Education and Training (System Reform) Amendment Bill in order to align with the timing of changes to the Regulations being made.

Stronger complaints processes to help empower boarders and parents

Proposal 4: Regulator complaints function

- The regulator takes on a formal function for receiving and responding to complaints from boarders and family regarding hostel non-compliance, when a complainant:
 - is not satisfied with how the complaint is or was being dealt with by the hostel, or
 - considers on reasonable grounds that the hostel has a conflict of interest.
 - Hostel owners must inform complainants how to contact other agencies that may help them if they are unhappy with how a complaint has been resolved.
27. If a complainant is not satisfied with how their complaint has been resolved, hostels owners must inform them of the role of relevant agencies that may be available to further assist. These settings fall short of providing a clear and accessible escalation pathway. Approximately two thirds of submitters in our online survey supported a new regulator complaints function.
28. Improved information requirements will provide a clear escalation pathway. The new regulator complaint function will create stronger certainty about the regulator's role and provide an accessible pathway for complaints that involve compliance issues.
29. This proposal would moderately increase costs of regulation, but these would be manageable within ERO's planned regulatory model, subject to funding. These costs would be proportionate to the benefits of redressing the existing power imbalance for boarders and parents.

Proposal 5: Complaints reporting and other requirements

- Hostels must report regularly to the regulator, at least annually, on high-level complaints data.
 - The regulator must publish a report summarising any non-compliance issues after a hostel inspection.
30. The hostels complaints process runs in-house with no routine mechanism for external oversight. This creates a lack of transparency for the regulator and the public and weakens system accountability.
31. Less than half of submitters in our online survey supported a proposal for hostels to report to the public and the regulator on high-level complaints data. Submitters were concerned that public reporting could lead to unwarranted reputational damage for hostels and raise privacy

issues for boarders (i.e., in small hostels with only a handful of boarders). No issues were raised regarding reporting to the regulator.

32. Complaints reporting by hostels would strengthen regulatory oversight of underlying compliance issues. Compliance reports published by the regulator would provide clear and relevant information for boarders and families about hostel compliance and safety.
33. There will be minimal additional costs for hostels to report data and for the regulator to include specified content in inspection reports. These costs will be outweighed by benefits achieved for oversight and accountability.

New regulatory powers and requirements to support compliance monitoring

Proposal 6: Minimum inspections

The regulator must inspect a hostel at least once during each licence period, which is currently three years.

34. The regulator is empowered under the Act to inspect hostels to monitor compliance but there is no requirement that this must happen.
35. This will help ensure that the approach of regulatory practice is appropriately rigorous for managing risks to child safety. The regulator would still be able to inspect a hostel more often, as part of a responsive, risk-based approach to regulatory assurance.
36. We considered requiring annual inspections for hostels with features that could create a higher risk of harm (for example, Residential Specialist Schools). We discarded this as it could prevent the regulator from adapting to changing circumstances over time.

Proposal 7: Shorter licence period

The regulator may set a licence period shorter than three years when they believe this is warranted.

37. New hostels and those with a history of compliance issues are at higher risk of non-compliance. The main response currently available to the regulator is to inspect these hostels more often.
38. This proposal would provide the regulator with a new tool and increased flexibility to respond to changing risks. Affected hostels would pay a licence renewal fee and submit an application more often which would be an increased burden. The burden would be proportionate if used when a hostel is considered high-risk.

Proposal 8: Record keeping

Hostels must keep records on staff (safety vetting and checking; training; rosters), child protection allegations, incidents or concerns, major sanctions for boarders and complaints.

The records must contain an appropriate level of information to support monitoring of hostel compliance and boarder safety.

39. Explicit record keeping requirements for hostels focus on health and parent contact details. This is too limited to support effective monitoring of compliance with child safety and protection processes and requirements.

40. This proposal will increase clarity of record keeping requirements for hostels and the effectiveness of the regulator's compliance monitoring. Additional compliance burden for hostels will be minor and the benefits for compliance and child safety are proportionate.

Another change is needed to support the transfer to ERO

Proposal 9: Ability to extend licence period

The regulator may extend a licence period beyond three years.

41. Approximately 80% of hostels have their licences come up for renewal within the same 9-to-10-month period every three years. ERO has said this would be beyond their expected capacity to manage.
42. This proposal would allow the ERO to extend some hostel licences in its first period where 80% of licences come up for renewal so that these renewals can be spread across three years going forward.
43. We propose the power be ongoing because it would be useful when hostels fail to provide all the information required to renew their licence before it expires. We are currently considering whether there should be limits to this power, for example, a maximum length of an extension. We will provide you with further advice as part of the draft Cabinet paper.

Implementing the changes depends on Budget 2026

44. 9(2)(f)(iv)

45. 9(2)(f)(iv)

We are seeking your agreement to begin a licence fee review

46. We recommend that the Ministry begin work on a review of the hostel licence fees, to support the transfer of the regulatory function to ERO. Subject to your agreement, our next step would be to provide advice on the review of licence fees including an indicative timeline.
47. The Hostels Regulations allow the charging a fee of \$1,955.00 to license a hostel and \$630.00 for a three-yearly licence renewal. These amounts were set in 2005. Currently, the Ministry, receives approximately \$55,000 over three years from licence renewal fees.

We have identified some new issues for Phase 2

48. While undertaking Phase 1 of the review we have identified new issues to address during Phase 2. These include creating more graduated regulatory tools, bringing hostels under existing regulatory provisions for search and seizure in schools, requiring that staff in hostels for deaf students are required to be fluent in New Zealand Sign Language, and clarifying and strengthening accountability for governance of hostels.

Next steps

49. Subject to your decisions on this paper, the next steps for progressing Phase 1 of the regulatory review are for the Ministry to provide you with:
- a draft Cabinet paper containing advice on changes to the Hostels Regulations on Wednesday 11 March
 - a draft Cabinet paper containing advice on changes to the Act to bring hostels under the restraint rules, and potentially other non-hostel changes to be confirmed, on Thursday 12 March (to meet the timeframes for an Amendment Paper to the Education and Training (System Reform) Amendment Bill)
 - a report on the scope, process and timing of the hostels licence fee review by the end of April.
50. The timeline for the Cabinet paper process for changes to the Hostels Regulations is in the table below. The general commencement date for the changes to come into force is planned to align with the transfer of hostels regulatory functions to ERO.

Process step	Date
Draft Cab papers for agency consultation to Minister's office	Weds 11 March
Draft Cab papers for ministerial consultation to Minister's office	Weds 1 April
Final Cab papers for lodging to Minister's office	Weds 22 April
Lodging at Cabinet office	Thurs 30 April
Paper to Cabinet	May
PCO drafting	April - June
LEG paper to Cabinet and Hostels Regulations amended	August
Commencement date for Hostel Regulations amendments	1 Sept

Annexes

- Annex 1: Results of sector engagement for the Hostels Regulatory Review [attached separately]
- Annex 2: Overview of proposals for Hostels Regulatory Review

Recommended Actions

The Ministry of Education recommends you:

- a. **note** that this paper provides advice on changes to the Education (Hostels) Regulations 2005 in response to the Royal Commission of Inquiry to Abuse in Care

Noted

New review objective

- b. **agree** to a new fourth objective for Phase 1 of the hotels regulatory review on 'informing and empowering boarders and families'

Agree / Disagree

Proposal 1: Overnight supervision

- c. **agree** to clarifying and strengthening minimum standards for overnight supervision by:

i. requiring hostel owners to:

- ensure that boarders know how to contact a member of staff easily from within each building at night and know how to do so

Agree / Disagree

- ensure that staff know which building each student is sleeping in and that each student is the responsibility of a named staff member overnight

Agree / Disagree

- submit a risk management plan outlining the overnight staff/boarder ratios and other arrangements to ensure student safety as part of the licensing and renewal processes.

Agree / Disagree

- have at least one staff member present overnight in each hostel building where boarders are sleeping, with responsibility for those boarders, unless all students in the building are aged 16 years or older.

subject to consultation

Agree / Disagree

- ii. enable the regulator to grant exemptions to the 'one staff member per building' requirement when satisfied a hostel's overnight supervision arrangements provide equivalent safety and supervision for boarders

Agree / Disagree

- iii. allowing three years for existing hostels to comply with the requirement of at least one-staff-member-per-building overnight

consult on shortening?

Agree / Disagree

- d. **note** that hostels which are unable to meet the new overnight supervision requirements due to financial barriers, and do not meet the criteria for an exemption, may lose their licence due to inability to provide safe overnight supervision for boarders.

Noted

Proposal 2: Sleeping spaces

- e. **agree** to replace current requirements to require sleeping spaces to:

- i. allow for privacy taking into account the number, gender, age and any special requirements of boarders, and

late decision

Agree / Disagree

- ii. have appropriate separation between genders and age groups.

Agree / Disagree

f. **agree** to require:

i. the regulator to develop guidelines for sleeping spaces including appropriate separation between genders and age groups

Agree / Disagree

ii. existing hostels be given three years to comply with the new sleeping space requirements to allow time for any changes needed to buildings.

check via consultation

Agree / Disagree

Proposal 3: Restraint, corporal punishment and seclusion

g. **agree** that use of corporal punishment and seclusion be explicitly prohibited as part of hostel licensing conditions

Agree / Disagree

h. **agree** to amend the Education and Training Act 2020 to provide the same restrictions and conditions on use of physical restraint for hostels as for schools, including being subject to the Education (Physical Restraint) Rules 2024

Agree / Disagree

i. **agree** that the amendments to the Education and Training Act 2020 be achieved through an Amendment Paper to the Education and Training (System Reform) Amendment Bill

Agree / Disagree

Proposal 4: Escalating complaints

j. **agree** to:

i. create a formal function for the regulator to receive and respond to complaints related to non-compliance when a complainant:

- is not satisfied with how the complaint is or was being dealt with by the hostel, or
- considers on reasonable grounds that the hostel has a conflict of interest

Agree / Disagree

ii. require hostel owners to tell complainants how to contact the relevant agencies that may assist them if they are unsatisfied with how their complaint has been resolved.

Agree / Disagree

Proposal 5: Reporting on complaints

k. **agree** to:

i. require hostels to regularly report to the regulator high-level data about complaints they have received

Agree / Disagree

ii. require the regulator to publish a report, after each hostel inspection summarising any compliance issues found

Agree / Disagree

Proposal 6: Mandatory inspections

l. **agree** to require the regulator to inspect each hostel at least once within a licence period, which is currently three years.

Agree / Disagree

Proposal 7: Ability to set shorter licence periods

m. **agree** to enable the regulator to set licensing periods shorter than three years where they consider this is warranted.

Agree / Disagree

Proposal 8: Record keeping

n. **agree** to require:

- i. hostels owners to keep records on: staff safety checking, training and work patterns, child protection allegations, incidents or concerns; major sanctions applied to boarders, and complaints

Agree / Disagree

- ii. hostel records to contain an appropriate level of information to support monitoring of hostel compliance and boarder safety

Agree / Disagree

Proposal 9: Ability to extend the licence period

- o. **agree** to enable the regulator to extend hostel licences beyond their three-year expiry date to enable licence renewals to be spread evenly across three years going forward

Agree / Disagree

Funding implications

- p. 9(2)(f)(iv)

Noted

- q. 9(2)(f)(iv)

will need

Noted

- r. **agree** that the Ministry begin work on a review of the hostel licence fees, to support the transfer of the regulatory function to the Education Review Office

Agree / Disagree

Next steps

- s. **note** that your decisions regarding the advice in this paper will be used to develop a draft Cabinet paper which we will provide to your office in early March

Noted

Proactive Release:

- t. **agree** that the Ministry of Education release this paper once recommendations have been considered by Cabinet with any information needing to be withheld done so in line with the provisions of the Official Information Act 1982.

Agree / Disagree

9(2)(a)

Senior Policy Manager

Te Pou Kaupapahere



Hon Erica Stanford

Minister of Education

9/3/26

25/02/2026

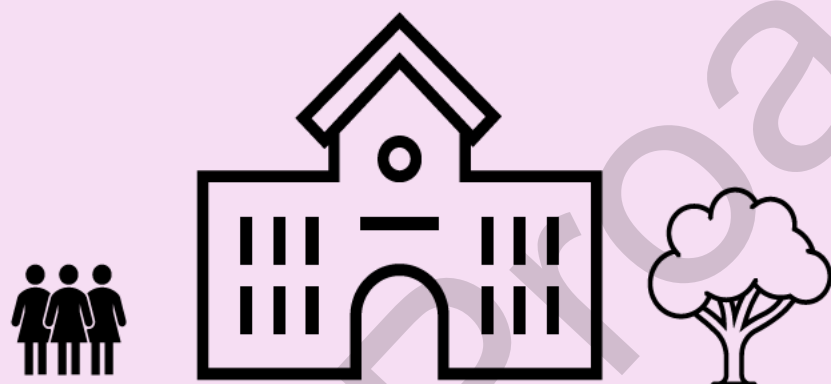
Results of sector engagement for the Hostels Regulatory Review

Targeted engagement took place over three weeks in November and December 2025

We engaged with hostel managers and staff, school principals, the Pasifika Principals Association, the New Zealand Boarding Schools Association, the Aotearoa Boarding Schools Association, Ko Taku Reo and InsideOUT.

96 submitters responded to the online survey and answered qualitative and quantitative questions on 9 ideas for change.

Most of the survey participants were hostel managers or school principals. There are only 87 hostels so, the survey response is likely to be largely representative of sector views.



The sector strongly supported many of the ideas for change in the online survey

Corporal punishment & solitary confinement

We proposed making it clear that licenced hostel owners or staff cannot use corporal punishment or solitary confinement as part of their practice.

Use of restraint

We proposed introducing requirements for hostel owners and staff on use of restraint [similar to those for school staff](#).

Record keeping

We proposed expanding the record keeping requirements to cover key child protection procedures.

Mandatory inspections

We proposed requiring the hostels' regulator to:

- inspect every licenced hostel at least **every three years**;
- unless the hostel has special features, such as being a Residential Specialist School, when it must be inspected at least **once a year**.

Provisional licence

We proposed placing hostels on provisional licences if:

- the hostel is **newly established**, or requires relicensing due to significant changes;
- when there have been persistent and significant **compliance issues**.

The hostels would move onto a full licence after one year, subject to a positive inspection.

The **great majority (85%-95%)** agreed that these proposals:

- supports safety and wellbeing for boarders
- make it easier for hostels to understand the requirements, and;
- should be easy for hostels to implement.

The **great majority (91%)** agreed the proposal sets the right frequency for hostel inspections.

The **great majority (97%)** agreed the proposal would support safety and well-being for boarders

The sector supported the ideas for change in the online survey but some were concerned that they would be hard to comply with

Overnight supervision

We proposed creating clearer, more specific requirements for overnight supervision, for example, requiring at least one staff member be present overnight in each building where boarders sleep.

- Over **two thirds (73%)** agreed with the proposal noting that it:
 - supports the safety and wellbeing of boarders, and;
 - makes it easier for hostels to understand requirements.
- Just over **half (53%)** agreed the proposal would be easy for hostels to comply with.

Some submitters said that:

- it would be impractical and unaffordable to have one staff member in each hostel building overnight as many hostels had several buildings that house small groups of students.
- staff are not needed in hostel buildings overnight as long as they are on the school grounds and can monitor boarders using CCTV and security alarms or by roaming between buildings.

Sleeping spaces

We proposed changing the Hostels Regulations to clearly require that separate and secure sleeping spaces are provided for students of different sexes (and/or genders) and ages.

- **The majority (83%)** agreed the proposal supports the safety and wellbeing of boarders and it makes it easier for hostels to understand requirements.
- Around **two thirds (66%)** agreed the proposal should be easy for hostels to comply with.

Some submitters said that:

- some hostels would need significant reconfiguration to comply with this proposal due to physical size and layout; and that smaller hostels could struggle with costs.

A few said that:

- they intentionally mix age groups so older students can provide pastoral support to younger ones.

Most of the sector supported 'escalating complaints'

Escalating complaints

We proposed creating a **second complaints process** so that complainants can go directly to the hostel's regulator when there are issues with the existing hostels complaints process.

Over **two thirds (69%)** agreed that the proposal will strengthen safeguards for boarders

Some submitters said that:

- the proposal is unnecessary.

A few said that :

- there would need to be supports in place to ensure the regulator complaints process is consistent, fair and transparent.

But less than half the sector supported 'reporting on complaints'

Reporting on complaints

We proposed requiring hostel owners to **report annually** to the hostels' regulator, and publish on their website, high-level information about complaints received.

Just **over a third (36%)** agreed that the proposal will strengthen safeguards for boarders

Some submitters said that:

- requirements to publicly report on complaints data could cause unwarranted reputational damage for hostels.
- could raise privacy issues for students and staff.

Several submitters said that:

- they supported reporting on complaints to the regulator but did not support publishing complaints data on their website.

Annex 2: Overview of proposals for Hostels Regulatory Review

Proposals	Criteria
Proposal 1: Stronger overnight supervision - At least one staff member must be in each hostel building overnight - Providing a risk management plan	✓✓ ✓ ✓✓ x ✓✓ Increased certainty about requirements and effectiveness in safeguarding. Reasonable flexibility from exemption. Trade-off is increased burden on regulator and hostels (with hostel costs passed onto parents) but proportionate to increased safety for boarders overnight. Possible that some costs may be transferred onto parents or that some hostels will not be able to meet requirements and close. Hostels will have 3-years to implement the changes.
Proposal 2: Sleeping spaces appropriately separated by age and gender Appropriate separation by gender and age group	✓ x ✓ x ✓✓ Increased certainty about requirements and effectiveness in safeguarding. Trade-off is less flexibility for hostels and increased burden on regulator and hostels. However, this is proportionate to increased safety for boarders in sleeping spaces. Possible that some hostels may struggle to comply due the need to reconfigure buildings and that costs may be passed on to parents.
Proposal 3: Restraint, corporal punishment and seclusion - Bringing hostels under Education (Physical Restraint) Rules 2024 - Prohibiting corporal punishment and seclusion in licensing criteria	✓✓ x ✓✓ x ✓✓ Increased certainty about requirements and effectiveness in safeguarding boarders. Trade-off is hostels have less flexibility using restraint and some hostels may need to pay for specialist restraint training. Increased regulatory burden is well balanced by benefits to boarder safety and wellbeing.
Proposal 4: Regulator complaints function - Creating regulator complaints function for non- compliance - Informing complainants <u>how</u> to contact other agencies for help	✓ 😞 ✓✓ x ✓✓ More effectively empowers boarders and whānau by creating a clear and accessible complaints escalation pathway and a formal regulator complaints role. This improves certainty about the regulator's role. While the regulatory burden is increased, it is manageable and proportionate to the benefits.
Proposal 5: Complaints reporting - Hostels regularly report high-level complaints data to regulator - Regulator publishes hostel inspection report	✓ 😞 ✓✓ x ✓✓ More effectively empowers boarders and whānau by creating transparency about hostel non-compliance and strengthening regulator oversight of hostel complaints and any related issues. Increased certainty for regulator obligation for transparency. Trade-off is a minor reporting burden for hostels, which is likely proportionate to the benefits for transparency.
Proposal 6: Minimum inspection frequency Inspecting a hostel at least once each licence period	✓ x ✓✓ 😞 ✓✓ Increases certainty about inspection frequency with corresponding decrease in flexibility. Increases effectiveness of monitoring by requiring regulator to inspect each hostel at least once a licence period. The proposal is the same as current practice, no increased regulatory burden.
Proposal 7: Shorter licence periods Setting a shorter licence period if warranted	😞 ✓✓ ✓✓ x x ✓✓ Increases flexibility and effectiveness by enabling a new option for more intensive monitoring. Increased burden for hostels who must pay a renewal fee and submit application more often. Regulator must also inspect and assess applications more often. The burden is expected to be proportionate when used in high-risk cases.
Proposal 8: Expanded record keeping Expanding record keeping requirements related to child safety and protection processes	✓ 😞 ✓✓ x ✓✓ Increased certainty about requirements for hostels. Increased effectiveness for compliance monitoring of child safety processes. Trade-off is minor increased burden for hostels, although many already doing this. Benefits to monitoring ability are proportionate to the burden.
Proposal 9: Ability to extend licence period Extending licences to allow renewals to be spread across three years ongoing	x ✓✓ ✓✓ 😞 😞 Effectively supports regulator to manage transition from smoothing licence renewals evenly across three-years going forward. Increased flexibility including for managing late renewal applications. Trade-off is lower certainty for hostels about licence expiry.

Key: scoring

Better than status quo	✓
Much better than status quo	✓✓
Worse than status quo	x
Much worse than status quo	x x
Neutral / no change from status quo	😞

Criteria

Criteria	Clear whether rules have been followed	
Certainty	Rules can apply across diverse contexts	
Flexibility	Regulator able to be risk-based and responsive	
Effectiveness	Effective at achieving the desired objective	
Regulatory burden	Costs for hostels and regulator are minimised	
Proportionality	Costs for hostels and regulator are proportionate to broader societal benefits	