



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

Report: Cabinet paper consultation for changes to the Hostels Regulations

To:	Hon Erica Stanford, Minister of Education		
Date:	18/05/2026	Deadline:	22/05/2026
Priority:	Medium		
From:	9(2)(a) Senior Policy Managers	Phone:	9(2)(a)
Drafter:	9(2)(a)	METIS No:	1355839
Title ok for release?	Yes		

Why are we sending this to you?

- This paper seeks decisions to progress changes to the Education (Hostels) Regulations 2005 (the Hostel Regulations) in response to the Royal Commission of Inquiry of Abuse in Care (RCOI).

What action do we need, by when?

- We are seeking:
 - your final decisions on proposed changes to overnight supervision and sleeping space requirements included as part of the wider changes to the Hostel Regulations.
 - your agreement to circulate the draft Cabinet paper for agency and Ministerial consultation from 22 to 1 June 2026.
- Please return the signed paper by 22 May 2026.

Key facts, issues and questions

- In March 2026, you agreed to several proposed changes to the Hostel Regulations in response to the findings and recommendations of the RCOI.
- You also instructed officials to undertake further consultation on aspects of the overnight supervision and sleeping space proposals. This was completed in April 2026.
- As a result of this engagement, we are now proposing significant changes to the overnight supervision and sleeping space proposals to recognise constraints placed on hostels in changing their practices. This ensures that the compliance burden on hostels is proportionate to the risk of harm being managed.

- If you agree, we recommend circulating the draft Cabinet paper for joint agency and Ministerial consultation, ahead of discussion at the Social Outcomes Cabinet Committee on 17 June 2026.

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.

Background

2. This is the third paper providing you with advice about potential changes to the Education (Hostels) Regulations 2005 (the Hostels Regulations) to strengthen safety of boarders living in school hostels. The table below reflects the sequencing of advice on these changes.

Paper Title	Date
1: Review of the regulatory system for school hostels (METIS 1344179)	1 October 2025
2: Proposals for changing the Hostels Regulations (METIS 1354688)	25 February 2026
3: Cabinet paper consultation on changes to the Hostels Regulations (METIS 1355839)	13 May 2026
4: Hostels Regulations Cabinet paper for lodging (METIS 1354691)	8 June 2026

3. You made decisions on the scope, timing and objectives of a review of the Hostels Regulations in October 2025. In February 2026, you agreed to seven of nine proposed changes to the Hostels Regulations. You also directed officials to consult further with the hostels sector on proposed new requirements for overnight supervision and sleeping spaces.
4. This report seeks to:
 - a. final decisions on the two outstanding proposals (overnight supervision and sleeping spaces) for changing the Hostels Regulations prior to taking advice to Cabinet, and
 - b. agreement to joint agency and Ministerial consultation of the draft Cabinet paper between 22- 1 June 2026.
5. Changes to the Hostels Regulations were planned to be in place in parallel with the regulatory function for hostels transferring from the Ministry to the Education Review Office (CAB-25-MIN-0208 refers). The date of the transfer has been confirmed as 1 September 2026 (METIS 1354865 refers). Due to the time needed to undertake further sector engagement, the changes to the Hostels Regulations are expected to be in place by the end of September instead.

We are seeking final decisions on revised proposals for overnight supervision and sleeping spaces

6. We held a second sector engagement process between 24 March to 10 April 2026, which included two webinars and another online survey. We have also visited eight licenced hostels¹ to gain a better understanding of the diverse overnight supervision and sleeping space

¹ Four state schools, one state-integrated school, two private schools and a Residential Specialist School.

arrangements in hostels. It focused on the overnight supervision and sleeping space proposals and their potential impacts on hostels.

7. We recommend significant changes to our previous proposals on overnight supervision and sleeping spaces. We are now proposing requiring hostel owners to:
 - a. ensure staff are readily accessible to boarders and that they have a way of monitoring hostel buildings overnight.
 - b. provide sleeping spaces that are appropriately separated by gender, and; where boarders from different age-groups have sleeping spaces in close proximity to address risks in the overnight supervision risk management plan.

We have updated the overnight supervision requirements following further targeted engagement

8. During the second targeted engagement, we consulted further with the sector on proposals to require at least one staff member to be present in each hostel building overnight with an exemption from the requirement when the regulator is satisfied that alternative arrangements provided an equivalent level of supervision and safety. Existing hostels would have three years to comply with the new requirements.
9. Due to the sector feedback (see section below), we have revised our proposals to:
 - a. require hostel owners to ensure that:
 - i. staff responsible for supervising boarders overnight are readily accessible to those boarders
 - ii. they have a way to monitor hostel buildings overnight with the aim of promptly identifying any incidents of harm or abuse
 - b. give existing hostels one year to comply with new requirements.
10. The new proposed requirements would build upon the existing requirements in the Hostels Regulations² and your decisions on overnight supervision in February 2026 (METIS 1354688 refers). These are that:
 - a. The owner of a hostel must
 - i. submit a risk management plan outlining the overnight staff to boarder ratios and other arrangements to ensure student safety as part of the licensing and renewal processes
 - ii. ensure that staff know which building each student is sleeping in and that each student is the responsibility of a named staff member overnight.
 - b. ensure that boarders can contact a member of staff easily from within each building at night and know how to do so.

² Under Reg 61(3) of the Hostels Regulations the owner of a hostel must ensure that the hostel is at all times staffed with a ratio of staff to boarders present at the hostel that ensures the safety of those boarders having regard to—

- the number of them and their ages and needs; and the nature (including the locations and times of day) of their activities; and
- the training and qualifications of the staff or other adults concerned.

Hostels face real constraints to having a staff member in each building at night

11. The layout and configuration of hostel buildings play a significant role in how hostels are able to supervise their students overnight. These factors vary depending on the period the buildings were constructed whether they were purpose-built to be hostels.
12. Many buildings are not designed to have a staff member overnight. Around a third of submitters to our survey said they do not have anywhere for staff to be in hostel buildings overnight without intruding on student privacy. It is common for these kinds of hostel sites to have nearby buildings where staff sleep while on-call overnight. Boarders access staff overnight by phone or through alerting prefects (usually Year 13 boarders). A third of submitters said they would need to modify their buildings, and this would be difficult or impossible for them to finance or to implement within two or three years.
13. Less commonly, some hostels have separate staff accommodation that can be accessed from within the hostel building. Some hostels have awake staff in or around hostel buildings overnight. These hostels are more likely to have buildings designed with 'reception' areas, staff offices and more private sleeping rooms for boarders.
14. It is common for hostels to have multiple buildings where boarders sleep. Many hostels have three or more hostel buildings, and a few have over 10. Most hostels told us that a requirement to have at least one staff member in each building would increase the number of staff they would need overnight, and they would find it difficult or very difficult to meet increased staffing costs.
15. It is common for hostels to have relatively low numbers of paid staff on overnight. About half of the submitters to our survey had only one or two staff members responsible for boarder supervision overnight. However, we saw in our hostel visits that it was standard for these hostels to have 'off-duty' staff living on-site who operate as back up in emergencies. Having one person in each building would represent a significant shift for the operations and expenses of these hostels.

We need to strike the right balance between safety and compliance burden

16. To strike the right balance between child safety and hostel compliance burden, we have looked internationally for guidance but have found no standard approach to regulating overnight supervision. The United Kingdom and Ireland have the most prescriptive approach with minimum standards requiring at least one adult to be present in each hostel building overnight.³ In contrast, most Australian states do not explicitly regulate hostels, separately from schools. Where they do, hostels are given a legal duty of care to protect students from foreseeable risks of harm and are required to have policies that cover student supervision and safety.⁴ Australia also has a voluntary standard that requires that ratios of trained staff to boarders for all circumstances must be determined through risk management processes.⁵

³ National Minimum Standards for Boarding Schools 2022 (England); National Care Standards: School Care Accommodation Services 2005 (Scotland); National Minimum Standards for Boarding Schools 2003 (Wales); National Minimum Standards for Boarding Schools 2022 (Ireland).

⁴ For example, see the Victorian Guidelines to the Minimum Standards and Requirements for School Boarding Premises Registration 2022 and the New South Wales Registration Systems and Member Non-government Schools Manual.

⁵ AS 5725:2015 Boarding Standard for Australian Schools and Residences

17. We have heard from many in the hostels sector who consider that proximity and accessibility of staff to boarders overnight are the most important factors for ensuring safety. They say their established arrangements work well in this regard and requiring one staff member to be in each building is unnecessary. Two-thirds of those who submitted to our survey said they would seek to apply for an exemption if the proposed requirement to have at least one staff member in each hostel building at night.
18. A limitation in our analysis is our lack of engagement with current and former boarders and their whānau and families. It is possible that this group is aware of overnight safety issues that hostel owners and staff are not.⁶ However, based on what we have learned so far, it would not be proportionate or reasonable to proceed with the proposal to require hostels to have at least one staff member in each building overnight.⁷ We are recommending some other requirements to strengthen boarder safety, which should not be unduly difficult for hostels to comply with.
19. Overnight staff should be readily accessible to boarders. We have been told by the sector, and have seen, that there is a wide range of layouts and configurations of hostel buildings and sites. Where buildings are spread out on a site, it is important that there are staff close enough to each building to be able to respond to requests for assistance in the night.
20. Owners should have a way of monitoring hostel buildings overnight to increase the chance that any incidents of abuse or harm are identified and appropriately addressed. The Ministry, as current regulator, and RCOI have identified contemporary incidents of abuse in New Zealand hostels, although the wider frequency remains unknown due typically low reporting rates and delayed reporting by survivors of abuse. However, boarding school environments are widely acknowledged to hold an increased risk of abuse for children and young people due to the residential setting and lack of direct parental oversight. We consider that hostels should have safeguards beyond relying on boarders to seek staff assistance at night.
21. Monitoring could be in the form of staff being present in the building, CCTV in common areas, or some other form of surveillance technology. Monitoring could also be provided by prefects present, although this would likely require additional risk mitigation to be recorded in the risk management plan⁸. Most hostels (82%) already use CCTV and/or alarms on interconnecting doors to help ensure safety of boarders overnight regardless of their staff arrangements.
22. Some forms of monitoring, such as CCTV, will not generally allow supervising staff to intervene immediately, as it will usually be reviewed at a later point. However, it may be a deterrent and provides an opportunity for harm or abuse that might otherwise have remained unknown to be identified and responded to.
23. Existing hostels should have a year after the Hostels Regulations are changed to comply with the new requirements. This will allow time for ERO to develop guidance for hostels on what

⁶ We intend to consult with boarders, families and whānau in Phase 2 of the review in 2027-2028 and depending on what we learn, we could revisit the issue if warranted.

⁷ Although, there will be some circumstances, such as for primary and intermediate age boarders or those with disabilities, where it will be necessary to have staff inside hostel buildings overnight to ensure safety of boarders as currently required.

⁸ You agreed in February 2026 that owners be required to submit a risk management plan outlining the overnight staff to boarder ratios and other arrangements to ensure student safety as part of the licensing and renewal processes (METIS 1354688 refers).

should be in risk management plans, and for hostels to meet the new overnight supervision requirements.

We recommend appropriate separation by gender but not by age group

24. We recently consulted further with the sector on proposals to provide sleeping spaces that have appropriate separation between genders and age groups. Due to the sector feedback (see section below), we have revised our proposals to:
 - a. require hostel owners to:
 - i. provide sleeping spaces that have appropriate separation between genders, and
 - ii. identify potential safety risks to younger boarders, and mitigations, where boarders of different age groups are sleeping in close proximity in hostel buildings
 - b. give existing hostels one year to comply with new requirements.
25. The new proposed requirements would build upon the existing requirements in the Hostels Regulations.⁹

Many hostels value certain boarding practices where mixed ages sleep close by

26. It is standard for hostels to separate sleeping spaces by gender but not always by age group. No submitter to our survey said that they had mixed gender sleeping spaces in their hostels. Eight percent of submitters to our online survey said that they had boarders across three-or-more-year levels (for example, Year 10, 11 and 12) sharing sleeping spaces. From our recent sector engagement, we understand that this occurs in smaller hostels due to necessity or due to traditional and valued boarding practices.
27. Some hostels use 'vertical boarding', where boarders of mixed ages live close together within a hostel building or part of one. In contrast, 'horizontal' boarding involves students of the same or similar year level living together in a hostel building. Proponents of vertical boarding say it encourages responsibility and mentorship of older boarders towards younger ones and creates a 'family-like' atmosphere.
28. We also saw it was common for 'horizontal' sections of hostel buildings to include one or two older boarders. In these Tuakana - Teina arrangements, the older students are trusted individuals who provide supplementary mentorship, pastoral care and direction at times when staff are absent.
29. Many hostel buildings have been designed for these arrangements, with a mix of larger shared sleeping spaces for younger students and private rooms for older students nearby. Submitters to our online survey thought they would need to modify buildings (29%) or reduce boarder numbers (41%) to comply with a requirement for appropriate separation of sleeping spaces by age group. Close to two-thirds said they would find it difficult or very difficult to manage these costs and losses.

⁹ Under Reg 44 of the Education (Hostels) Regulations 2005 "the owner of a hostel must, having regard to the number, age range, and sex of the boarders, provide all spaces, facilities, and equipment that are reasonably necessary for ... sleeping".

We recommend hostels be required to identify and mitigate related safety risks

30. We consider that pure 'horizontal' boarding is the most effective and straightforward way to manage risks of older boarders abusing younger ones, but it is not the only way. It would be disproportionate to prohibit the established practices of vertical boarding and Tuakana - Teina that appear to be working well in many hostels. Instead, we recommend that where boarders of widely differing ages sleep near each other in hostel buildings, that risks and mitigations for the arrangements are addressed in the overnight supervision risk management plan.
31. To bolster boarder safety, we continue to recommend that hostel owners be required to provide sleeping spaces with appropriate separation between genders.
32. We also recommend that existing hostels have a year to comply with sleeping space requirements after the changes are in place for similar reasons to those outlined for the overnight supervision proposals.

We are seeking your agreement to share our advice on the revised proposals ahead of Cabinet decisions

33. The hostels sector has told us they are concerned that the overnight supervision and sleeping spaces proposals we consulted on could have significant financial implications to the point that some hostels may not be able to continue operating. We have heard repeatedly from owners and staff that the uncertainty about the future direction and specific implications from changes is causing them stress.¹⁰ Ministry representatives have been scheduled to speak at the New Zealand Boarding School National Hui on 27 May 2026 and are likely to be questioned about the direction of change.
34. For this reason, we are seeking your agreement for the Ministry to share our advice on the revised proposals on overnight supervision and sleeping space proposals with the hostels sector to provide them with some reassurance. Given the high interest in the hostels sector, we consider that it would be in the public interest to share the information with them.

35. 9(2)(g)(i) [REDACTED]

We are seeking approval for joint agency and Ministerial consultation on the draft Cabinet paper

36. We are now seeking your agreement to conduct joint agency and Ministerial consultation on the attached draft Cabinet (attached at Annex 3) from 22 May – 1 June. Agency consultation

¹⁰ For example, one principal was concerned that the redevelopment of their hostel buildings, now underway, could become non-compliant after changes are in force.

will occur across the first four days only and Ministerial consultation across the full ten days. A detailed timeframe outlining next steps is set out below.

37. The next step will be for you to confirm decisions through discussions in the weekly agency meeting and by returning signed papers. Subject to your decisions, we will provide you with a final set of papers to be circulated for Ministerial consultation on 22 May. This will include the draft Regulatory Impact Statement (RIS) the final version of which will also be lodged alongside the Cabinet paper.
38. There is one outstanding issue that we are yet to address in the Cabinet paper. This relates to Proposal 8 on record keeping. Currently it proposes that "hostel records contain an appropriate level of information to support monitoring of compliance and boarder safety." For the purpose of policy decisions to inform drafting, this wording is too broad. We will work to address this by specifying some minimum categories of information before the Cabinet paper is lodged.

Milestone	Date (2026)
Joint agency and Ministerial consultation on draft Cabinet paper	22 May – 1 June
Final Cabinet paper for lodging to the Minister's office	8 June
Lodging of final paper	11 June
Social Outcomes Committee	17 June
Cabinet confirmation	22 June
9(2)(f)(iv)	

Annexes

- Annex 1: Draft Cabinet paper: Proposals to change the Education (Hostels Regulations) 2005 (attached separately)

Recommended Actions

The Ministry of Education recommends you:

- a. **note** that in March 2026 you agreed to several proposed changes to the Education (Hostels) Regulations 2005 to strengthen boarder safety but directed officials to conduct sector consultation on two proposals before making final decisions. **Noted**
- b. **note** that the Ministry consulted with the hostels sector on overnight supervision and sleeping space proposals over late March and early April 2026, and sector feedback has informed the advice in this report. **Noted**
- c. **agree** that in addition to your previous decisions on overnight supervision, hostel owners will be required to:
- a. ensure that staff responsible for supervising boarders overnight are readily accessible to those boarders **Agree / Disagree**
 - b. ensure they have a way to monitor hostel buildings overnight with the aim of promptly identifying any incidents of harm or abuse **Agree / Disagree**
- d. **note** we do not recommend requiring hostels to have one staff member in each hostel building overnight as this would put significant strain on the operations and finances of many hostels and this would not be proportionate to the risks of harm being managed. **Noted**
- e. **agree** that to help ensure safe sleeping spaces in hostels, owners will be required to:
- a. provide sleeping spaces with appropriate separation between for boarders with different genders **Agree / Disagree**
 - b. identify potential safety risks to younger boarders, and mitigations, where boarders of different age groups are sleeping in close proximity in hostel buildings **Agree / Disagree**
- f. **agree** that existing hostels will have one year to comply with the proposed overnight supervision and sleeping space requirements, to allow time for the Education Review Office to provide guidance about risk management plans and hostels to develop them. **Agree / Disagree**
- g. **agree** whether you agree to the Ministry sharing with the hostels sector our advice on the revised proposals about overnight supervision and sleeping space requirements ahead of Cabinet decisions **Agree / Disagree**
- h. **agree** to joint agency and Ministerial consultation on the attached draft Cabinet paper from 22 May to 1 June 2026

Proactive Release:

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

9(2)(a)

Agree / Disagree

Senior Policy Manager
Te Pou Kaupapahere | Policy

18/05/2026


Hon Erica Stanford
Minister of Education

