



Report: Next steps for progressing changes to the Hostels Regulations

To:	Hon Erica Stanford, Minister of Education		
Date:	26/06/2026	Deadline:	3/07/2026
Priority:	Medium		
From:	9(2)(a) [REDACTED] Senior Policy Managers	Phone:	9(2)(a) [REDACTED]
Drafter:	9(2)(a) [REDACTED]	METIS No:	1356250
Title ok for release?	Yes		

Why are we sending this to you?

- On Monday 22 June, you confirmed in the agency meeting that you would like to progress all nine of the proposed child safety changes to the Education (Hostels) Regulations 2005 (the Hostels Regulations).
- This report attaches a revised draft Cabinet paper and provides information and next steps and timeframes to make the changes before the 2026 election.

What action do we need, by when?

- We are seeking your agreement to begin agency and Ministerial consultation on a draft Cabinet paper proposing changes to the Hostels Regulations.
- We need your decision by Friday 3 July 2026 to begin agency and Ministerial consultation on Monday 6 July 2026.

MO comment: start consultation 30 June 2026

Key facts, issues and questions

- We recommend making the proposed changes to the Hostels Regulations before the 2026 election.
- This paper sets out a timeline for this, which includes making Cabinet decisions late in the pre-election period. We recommend this because it would allow important child safety requirements to come into force sooner and for Phase 2 of the Hostels Regulatory Review to start in 2027 without delay.
- If the changes to the Hostels Regulations are not made before the 2026 election, they would be delayed into late 2026 – early 2027.

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 Royal Commission of Inquiry into Abuse in Care (RCOI).

Background

2. This is the fourth paper providing you with advice about amending the Education (Hostels) Regulations 2005 (the Hostels Regulations) to strengthen the safety of boarders living in school hostels.

#	Paper	METIS	Date
1	Review of the regulatory system for school hostels	1344179	1 October 2025
2	Proposals for changing the Hostels Regulations	1354688	25 Feb 2026
3	Cabinet paper consultation on changes to the Hostels Regulations	1355839	18 May 2026
4	Next steps for progressing changes to the Hostels Regulations	1356250	26 June 2026
5	Hostels Regulations Cabinet paper for lodging	1354691	23 July 2026

3. You made decisions on the scope, timing and objectives of a review of the Hostels Regulations in October 2025 (see METIS 1344179), including that it would have two phases. Phase 1 addresses child protection gaps highlighted by the RCOI and proposals to support the transfer of regulatory functions to the Education Review Office (ERO) from the Ministry. Phase 2 is intended to begin in 2027 and would address gaps in pastoral care requirements

You agreed to seven of our nine proposals for changing the Hostels Regulations in February 2026

4. We have since been progressing Phase 1 of the hostels regulatory review since October 2025. As part of this, we engaged with the sector in November 2025 through webinars, meetings and an online survey.
5. In February 2026, you agreed to seven of nine proposed changes to the Hostels Regulations [METIS 1354688 refers]. These were:
 - Proposal 3: Banning corporal punishment and seclusion in hostel licensing criteria
 - Proposal 4: New formal regulator complaints function to provide a clear and accessible escalation pathway
 - Proposal 5: Hostels to report annually to the regulator with high level complaints data and the regulator to publish inspection findings of non-compliance
 - Proposal 6: Hostels to be inspected at least once each licensing period
 - Proposal 7: New regulator power to shorten licence periods where there is a higher risk of non-compliance
 - Proposal 8: Expanded record-keeping requirements focusing on child safety processes.

- Proposal 9: Creating a transitional power for the regulator to extend hostel licence periods to improve workflow management.
6. You also directed officials to consult further with the hostels sector on two of the proposals, which recommended new requirements for overnight supervision and sleeping spaces.

We held a second sector engagement on the overnight supervision and sleeping space proposals in March - April 2026

7. Feedback received from the March – April 2026 sector engagement indicated that the proposed changes to overnight supervision requirements and sleeping space arrangements were likely to result in significant operational and capital constraints and would be inoperable for many hostels.
8. As a result of this engagement, we proposed significant changes to these two proposals to reflect the constraints placed on hostels in changing their practices and ensure that compliance burden on hostels is proportionate to the risk of harm being managed (METIS 1355839 refers).

We provided you with revised advice in May 2026 and shared it with the sector

9. We provided you with a draft Cabinet paper on 18 May (METIS 1355839 refers). On 21 May, you agreed to the Ministry sharing our advice to you on overnight supervision and sleeping spaces with the hostels sector, ahead of Cabinet decisions (see METIS 1355839). We shared this information at the New Zealand Boarding School Association (NZBSA) National Hui on 27 May.
10. The revised advice was well received by attendees, who said they felt we had genuinely listened to them and made responsive changes to our advice. We also sent an email to the NZBSA and the Aotearoa Boarding Schools Association to share with their members.

You have confirmed you wish to send all nine proposals for Cabinet consideration

11. In early June, you considered pausing work to amend the Hostels Regulations until the Ministry had engaged directly with boarders living in school hostels. Following further discussions at the agency meeting on Monday 22 June, you confirmed that you would like to progress all of the nine proposals to Cabinet consideration. These include the final overnight supervision and sleeping space proposals:
- Proposal 1: Overnight supervision: hostels staff must be onsite, contactable and readily accessible to boarders overnight and must monitor hostel buildings overnight
 - Proposal 2: Sleeping spaces must be separated by gender and if different age groups sleep in close proximity, risks and mitigations must be identified and put in place.
12. You also directed the Ministry to review the overnight supervision and sleeping space proposals after they have been in force for a year to ensure they are well-implemented and sufficiently rigorous.

We are seeking your agreement to begin agency and Ministerial consultation

13. You indicated that you would like draft Cabinet paper amended to change a recommendation in the overnight supervision proposal, so that hostel staff are required to be "onsite and readily available" to boarders overnight. This change has been made, alongside other minor changes to:
- emphasise that the Ministry will review overnight supervision and sleeping space proposals when they have been in place for a year

- reflect changes to regulatory impact assessment that come into force on 1 July 2026
 - reflect the passing of the Education and Training (System Reform) Amendment Act 2026 (noting it is awaiting Royal Assent)
 - reflect minor adjustments to timeframes for the regulation-making process.
14. We recommend that you agree to joint agency and Ministerial consultation on the attached revised draft Cabinet paper (Annex 1) from 6 - 15 July 2026. We have also provided a version of the draft with all new content highlighted in yellow (Annex 2).

We recommend trying to make the amendments before the 2026 election

15. It is still possible to make the proposed amendments to the Hostels Regulations before the 2026 election, but it will involve Cabinet decisions in the late pre-election period and a shortened agency and Ministerial consultation period of seven days.

Milestone	Deadline (2026)
Ministerial and agency consultation	6 – 15 July (10 days) <i>MO comment: start consultation from 30 June</i>
Revised Cabinet paper and Regulatory Analysis Summary to Minister's Office	20 July
Lodge Cabinet paper	23 July <i>MO comment: 16 July</i>
Social Outcomes Committee	29 July <i>MO comment: 22 July</i>
Cabinet	3 August

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16. Making the amendments to the Hostels Regulations before the election would mean that most proposed changes (i.e. those without delayed commencement) would come into force before the end of 2026. This would leverage the momentum built with the hostels sector and allow important child safety requirements to come into force sooner. Phase 2 of the Hostels Regulatory Review would also be able to start in early 2027 without delay. We recommend that the Ministry aim to progress to proposals in line with the timeframe outlined above.
17. There is a medium risk of opposition parties or media criticising the Government for making secondary legislation in the pre-election period. While successive governments have chosen to restrict their actions to an extent in the pre-election period, government continues to have full power to govern in the pre-election period and is not bound by the caretaker

convention. We consider the risk is mitigated because the regulatory amendments give effect to policy decisions made before the pre-election period.

18. Meeting the proposed timeframe will require your office to work with the Cabinet Office to have the proposed amendments to be prioritised for Cabinet and Cabinet Committee agendas.

If the amendments are not made before the election, they will likely be delayed until early 2027

19. As the proposed timeframe for making the changes to the Regulations is towards the end of the pre-election period, there is risk these changes could be delayed. We consider this risk to be low-medium and we will mitigate this risk by working closely with your office during the coming months.
20. If the process to make the proposed amendments to the Hostels Regulations is not complete before the election, the impacts would be relatively minor with a few months delay (likely to late 2026 – early 2027) to the amendments being made and to the start of Phase 2 of the Hostels Regulatory Review.

Communications

21. Once Cabinet policy decisions are made, we will also provide your office with a draft press release, including highlighting the importance of some of the changes being reviewed after they have been in force for a year to ensure they are sufficiently vigorous. Alongside, proactively releasing relevant papers on the Ministry's website.

Next Steps

22. The next steps for this work are for:
 - the Ministry providing you with a draft RAS to circulate for Ministerial consultation on Friday 3 June
 - your office undertaking Ministerial consultation and the Ministry undertaking agency consultation from 6 – 15 July 2026. **MO Comment: consult from 30 June**
 - the Ministry providing you with a revised post-consultation Cabinet paper on 20 July
 - your office to lodge a final Cabinet paper with the Cabinet Office on 23 July 2026 for Social Outcomes Cabinet Committee consideration on 29 July.

Annexes

- Annex 1: REVISED Draft Cabinet paper: Proposals to change the Education (Hostels Regulations) 2005 (Clean draft for agency and Ministerial consultation) (attached separately)
- Annex 2: REVISED Draft Cabinet paper: Proposals to change the Education (Hostels Regulations) 2005 (revisions marked) (attached separately)

Recommended Actions

The Ministry of Education recommends you:

- a. **note** that in February and May 2026 the Ministry recommended a total of nine amendments to the Education (Hostels) Regulations 2005 to strengthen safety of hostel boarders;
Noted
- b. **note** that in an agency meeting on 22 June 2026 you confirmed that you would like all nine of the proposed child safety amendments to the Education (Hostels) Regulations 2005 to be progressed for Cabinet consideration;
Noted
- c. **agree** to joint agency and Ministerial consultation on the attached draft Cabinet paper from 6 - 15 July 2026, which has been revised in line with your recent feedback.

MO comment: start consultation from 30 June

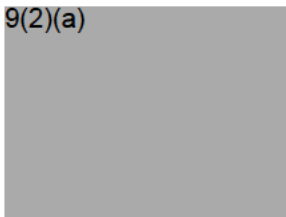
Agree / Disagree

Proactive Release:

- d. **agree** that the Ministry of Education release this paper once final Cabinet decisions have been made 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 | Policy

26/06/2026

Hon Erica Stanford
Minister of Education

30/06/2026