

# Summary:

## Strengthening the person responsible requirement for home-based services

### What is home-based ECE?

Licensed home-based early childhood education (ECE) is delivered in private homes by educators working with one to four children. In licensed home-based services a qualified, registered and certificated ECE teacher, called the co-ordinator or 'person responsible,' also visits homes to support these educators and oversee the education and care of the children.

### Proposals to strengthen the person responsible requirement for home-based services

We are consulting on four proposals designed to strengthen the role of the co-ordinator/person responsible for home-based services. Particularly in relation to supervision and professional leadership. These proposals largely align with the proposals from the 2018 Review of Home-based ECE.

Proposal	Description
<b>1. Persons responsible to hold a Category One or Two practising certificate</b>	<p>Persons responsible in home-based services would be required to hold a Category One (<i>Tiwhikete Whakaakoranga Tūturu</i>) or Category Two (<i>Tiwhikete Whakaakoranga Pūmau</i>) Full Practising Certificate. This change ensures educators are supervised by experienced persons responsible/co-ordinators, which is important since the person responsible has an explicit professional leadership role.<sup>1</sup></p> <p>Although this change should benefit the quality of home-based ECE, it could impact on the sustainability of some services. This could occur in particular areas or types of home-based services where it may be difficult to attract experienced and qualified teachers into the person responsible role. We are interested in your views on how we could better ensure that persons responsible are sufficiently experienced.</p>
<b>2. Persons responsible to be "locally based"</b>	<p>We propose requiring persons responsible be 'locally based' to better support their existing supervision/oversight function. This proposal further develops on from the Review of Home-based ECE, which proposed a more restrictive limit on the geographic radius where a service could operate.</p> <p>While this proposal could also be similar to the existing requirement for all services to have a contact person who 'resides locally,' we consider greater flexibility is beneficial. This is because the person responsible role is different to that of the service provider contact person, who represents the service's management in dealings with local Ministry offices on licensing issues. We are not proposing to change the requirements for the service provider contact person at this time.</p> <p>Two different approaches could be used to require the person responsible to be locally based:</p> <ul style="list-style-type: none"><li>• require they reside in the same territorial authority/territorial authorities as the homes in the service, as listed in Part 2 of Schedule 2 of the Local Government Act 2002; or,</li><li>• require they live within 'reasonable travel time' of the homes, which could be defined as within up to four hours or a shorter time.</li></ul> <p>We are interested in your view on what 'locally based' might mean in the context of the Regulations.</p>

<sup>1</sup> This is outlined in the definition of 'person responsible' for home-based services in the Regulations. See Education (Early Childhood Services) Regulations 2008, [reg 3 - Interpretation](#).

**3. Persons responsible to be limited to a single service's licence at a time, with an increased maximum licence size**

We are proposing to strengthen oversight or supervision from the person responsible through some restrictions on the licences they can work on. By restricting them from regularly working across multiple licences over a defined period, including potentially on more than one licence simultaneously, we expect to ensure greater continuity between educators and persons responsible, and to minimise the unclear division of responsibility that can occur when the role is not licence specific.

It is proposed that the person responsible be rostered on a single licence of a single service provider for not less than a month, unless the service had a demonstrated need to change the person responsible earlier (e.g., due to a justifiable absence). If the service did have a demonstrated need to change the person responsible within a month, they could then use a backup person who could also only be rostered to work on that licence (i.e., to avoid them working on more than one licence simultaneously).

Since this change may restrict how freely services could operate, we also propose to increase the maximum licence size from 80 to 100 children with two persons responsible. This option provides some scope for services to expand in case any restrictions on what licences the person responsible can work on reduces their flexibility. The increase also addresses an inconsistency between the 1:50 person responsible to child ratio and the current maximum licence size,<sup>2</sup> which can cause services to have higher staffing by default (i.e., a ratio higher than 1:50).

**4. Persons responsible to support educators' professional development when contacting and visiting them**

We are proposing to strengthen the professional leadership provided by the home-based person responsible by requiring them to support educators' professional learning and development while working with them. This change supports raising the quality and effectiveness of home-based educators and would be linked to the contact and visiting requirements of the person responsible under regulation 28(2), so that it is linked to their specific and existing responsibilities.

Examples of what we might expect the person responsible to provide through this change would include sharing resources, written details on conversations or visits with educators, training, and documented development plans for educators. These details may sit in Licensing Criteria not the Regulations.

**5. Persons responsible to guide and observe the curriculum delivery during home visits**

We are proposing to strengthen the professional leadership provided by the home-based person responsible by linking in-home visits required under regulation 28(2). During these visits, the person responsible would guide and observe educators' curriculum delivery when children are present, in line with the curriculum framework. This proposal strengthens professional leadership and development for the educators that have the greatest role in the education of the children in their care.

**How to have your say**

You can find the full discussion document on [Kōrero Mātauranga](#). If you want to provide feedback on the regulations, you can complete a survey in English [here](#) or in te reo Māori [here](#).

You can also send a more detailed written submission to either [Earlylearning.Regulatoryreview@education.govt.nz](mailto:Earlylearning.Regulatoryreview@education.govt.nz) or this postal address:

Early Learning Regulatory Review  
Ministry of Education  
PO Box 1666  
Wellington 6140

The Ministry of Education requires feedback by **13 October 2021**.

If you have any questions about making a submission, or would like more information, please email [Earlylearning.Regulatoryreview@education.govt.nz](mailto:Earlylearning.Regulatoryreview@education.govt.nz).

<sup>2</sup> The inconsistency was introduced when home-based services' 80-child maximum licence size was carried over from the Education (Home-Based Care) Order 1992 to the Education (Early Childhood Services) Regulations 2008, which introduced the 1:50 person responsible to child ratio for services.