




19 December 2019



Tēnā koe 

Thank you for your writing to the Ministry of Education on 21 November 2019, to request the following information, relating to a recent incident of child safety at Manurewa West Kindergarten:

- *a log detailing all contact from Ministry of Education with the family affected by the incident relating to the investigation into [the Counties-Manukau Kindergarten Association]*

Your request has been considered under the Official Information Act 1982 (the Act).

The safety and wellbeing of children is our top priority. We understand how distressing this has been for the family. Our role is to ensure that early learning services meet the requirements of the Education (Early Childhood Services) Regulations 2008.

I can advise you that Manurewa West Kindergarten was also involved in investigations undertaken by Police, and its parent association, the Counties Manukau Kindergarten Association (CMKA).

CMKA are an experienced early childhood education provider with 26 kindergartens across south Auckland. We worked closely with Manurewa West Kindergarten and CMKA to assess information and provide regulatory advice.

We also undertook a licensing assessment at the service, and reviewed CMKA's policies and procedures. The assessment identified a number of regulations that had been breached. The service was placed on a provisional license, pending correction of these breaches. A provisional licence identifies the conditions that must be met before a full licence can be reinstated. It must be on display and available to parents. Children can still attend a centre after a provisional licence has been issued.

We asked CMKA to undertake a full review of its policies and procedures and provide professional development for staff. We have also offered support through our early learning professional development programme Strengthening Early Learning Services (SELO).

CMKA has opted to focus its resources on addressing a number of issues at the kindergarten, including the safety of children and staff, children's learning and concerns from parents. We agreed to reassess the need for SELO in 2020, against the work CMKA has undertaken to date.

I can also advise you that CMKA's leadership team undertook a review process and supplied us with updated policies and procedures that meet regulatory requirements. It also held professional development sessions with the centre's leadership to ensure all staff with legislative responsibility for the day-to-day care and safety of children at the service are aware of the updated policy and procedures.

The service's staff involved in the incident on 9 October have received professional development from CMKA. This has included a focus on CMKA's updated policies and procedures, as well as a focus on their own roles and responsibilities. We continue to work closely with the service and the kindergarten association.

## Your request

I have summarised the information you have requested, as allowed for under section 16(1)(e) of the Act. Section 16(2) allows me to do this where providing the information in the form requested would prejudice the privacy interests of the family otherwise protected by section 9(2)(a) of the Act, where there is no countervailing public interest.

In this instance, I consider the primary public interest resides with the ability of the families to raise concerns about the safety of individual children in a climate of confidentiality. I do not consider that the decision to hold the Ministry to account for its actions and decisions following the incident is materially affected by this decision, and as such does not constitute a greater public interest.

## Summary of contact with the family

Staff in our Auckland office made contact with the family of the child at the centre of the incident at Manurewa West Kindergarten six times between 16 and 20 October 2019, both by telephone and email.

We have kept the family updated regarding the licensing assessment process, the findings of the assessment and the actions we have taken. Our Auckland-based Learning Support staff have been in contact with the family to confirm the child's learning support needs for the child concerned ahead of him starting school next year.

In three instances, the process of making a formal complaint was discussed. A formal complaint was received from the child's mother on 19 October 2019.

In two instances, we updated the child's mother on the status of investigations into the service we undertook in our capacity as a funder and regulator of early learning services.

Thank you again for your request. If you have any further questions on this issue, we recommend you contact the Ministry's Media Team in the first instance, at [media@education.govt.nz](mailto:media@education.govt.nz).

Under section 28(3) of the Act, you have the right to refer this response to an Ombudsman. You can do this by emailing [info@ombudsman.parliament.govt.nz](mailto:info@ombudsman.parliament.govt.nz).

Nāku noa, nā



Katrina Casey  
**Deputy Secretary**  
**Sector Enablement and Support**

cc Isabel Evans, Director of Education for Auckland