



27 March 2020

Susan Bates  
[fyi-request-12250-f1d97708@requests.fyi.org.nz](mailto:fyi-request-12250-f1d97708@requests.fyi.org.nz)

Dear Susan

Thank you for your email of 17 February 2020 to the Ministry of Education requesting the following information:

*I would like to know, if possible, what evidence or research, empirical or otherwise, was used to determine the following regulations in Early Childhood Education (ECE)*

- 1. space per child of 2.5 sqm inside and 5sqm outside*
- 2. no limit on group sizes of children*
- 3. ratios of 1 adult to 10 children over two years of age, 1 adult to five children under two years of age*
- 4. why two years old was the cut off for these ratios*

Your request has been considered under the Official Information Act 1982 (the Act). Our response to your questions is outlined below:

**Question One – Evidence or research, empirical or otherwise, used to determine ECE regulations on space per child of 2.5 sqm inside and 5sqm outside**

The regulations on activity spaces (2.5sqm inside and 5sqm outside) were first set in the Education (Early Childhood Centres) Regulations 1990. These were also included in the Education (Early Childhood Centres) Regulations 1998 and are currently in the Education (Early Childhood Services) Regulations 2008.

Because this requirement came into effect in 1990, information about the evidence or research relating to this section of the regulations is not available in any computer records. A thorough search of all files within the Ministry's archives relevant to your request has been undertaken and no records were able to be located. As such, this part of your request has been refused under Section 18(e) of the Act as the document alleged to contain the information requested does not exist, or despite reasonable efforts to locate it, it cannot be found.

**Question Two - Evidence or research, empirical or otherwise, used to determine ECE regulation no limit on group sizes of children**

The Education (Early Childhood Services) Regulations 2008 do not regulate for group size.

As such, this part of your request has been refused under Section 18(e) of the Act as the document alleged to contain the information requested do not exist.

**Question Three and four - Evidence or research, empirical or otherwise, used to determine ECE regulations for ratios of 1 adult to 10 children over two years of age, one adult to five children under two years of age, and why two years old was the cut off for these ratios was.**

The adult to child ratios in the Education (Early Childhood Services) Regulations 2008 for all day centres are a minimum of one staff member for 5 children under two years old. For children aged 2 years and older, the Regulations require a minimum of one staff member for up to 6 children, two staff members for between 7 and 20 children, and thereafter a ratio of 1:10 adults to children. These regulations for adult:child ratios in all day centres are the same as the ratios in the Child Care Centre Regulations 1960 (although there were changes in how 'all day centres' are defined).

A thorough search of files detailing evidence for these policy decision within the Ministry's archives was undertaken and no records were able to be located. As such, these parts of your request have also been refused under Section 18(e) of the Act as the document alleged to contain the information requested do not exist, or despite reasonable efforts to locate it, it cannot be

Thank you again for your email. You have the right to ask an Ombudsman to review this decision. You can do this by writing to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Dr Andrea Schöllmann  
**Deputy Secretary**  
**Education System Policy**