



9 May 2025

s 9(2)(a)

Official information request

Our ref: R00914

Tēnā koe s 9(2)(a)

Thank you for your Official Information Act 1982 (OIA) request received on 8 April 2025.

You requested:

Any minutes, notes and advice from the face to face meeting between the Ministry for Regulation and Fire and Emergency New Zealand on 20 May and 11 July 2024 that discussed the licensing criteria of the ECE review

Information released

Please see the attached **Appendix A** which contains all meeting notes from the meetings between the Ministry for Regulation and Fire and Emergency New Zealand on 20 May and 11 July 2024 that discussed the licensing criteria of the early childhood education review.

Some information has been withheld under section 9(2)(ba)(i) of the OIA to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

Right of review

If you wish to discuss this decision with us, please contact hello@regulation.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that we may publish this response (with your details removed) on the Ministry for Regulation website.

Ngā mihi

s 9(2)(a)



Aisling Risdon

Head of Ministerial Services
Ministry for Regulation

From: [Peter Clark](#)
To: [Liam Taylor \[TSY\]](#); [Alex McMinn](#); [Hannah McGlue](#); [Karen Quinn](#); [Lisa Oldridge](#); [Clement Tang](#)
Cc: [David Wansbrough](#)
Subject: Meeting notes - FENZ - 21 May
Date: Tuesday, 21 May 2024 4:29:00 pm

Kia ora team,

My meeting notes from FENZ yesterday.

Peter

Meeting with Fire and Emergency – 20 May 2024

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- **Door handles.** s 9(2)(ba)(i) has written to them in the last days regarding them. Noted that most exit gates for ECEs are high (pool-style), may not technically meet the Building Code. More recently several buildings have been declined – since Loafers Lodge event there has been a stricter approach by relevant regulators. An ECE building owner might be seeking a determination on this issue in the near future.
- FENZ has direct role in ECE licencing in terms of approving evacuation schemes.
- **Potential gap.** May be differences in FENZ regulation/ECE regulation regarding who needs evacuation schemes or not, and concern that larger community-based ECEs weren't subject to the requirements [this might be a difference in definitions between them, and if the requirement sits with providers or the building owners]. Expect that the evacuation scheme requirements would apply to all ECEs, and there is long term benefits in kids learning evacuation procedures at a young age.
- **General issue with FENZ reg.** Where ECEs are providing care for children with disabilities, their fire procedure should allow for additional assistance needs in evacuating them (e.g. 1 staff member could help 10 able children leave in a fire, but 1 staff member may have difficulty in getting 10 children with disabilities to safety) I understand this issue is broader than ECE alone, but may be potential to signal.

11 July 2024

Neil Miller, Principal Advisor, Sector Review.

- This was an initial exploratory meeting about the issue of emergency exit and evacuation from a ECE building.
- The issue of door handle heights has been raised by providers as a long-standing issue. They highlight causing a potential safety risk of children exiting the building unsupervised and inconsistency in interpretation.
- Ministry for Regulation is looking at the emergency exit/evacuation issue as a case study. As the timeline is 2024 for our report, we do not expect to solve the problem but would wish to identify regulatory 'ownership' and options for the issues identified to be resolved.
- Independent Qualified Persons have not been signing off more buildings (due to increased liabilities?)
- FENZ manages the behaviour of the people in evacuation.
- There are safety risks to children in a 'place of safety' because they must be allowed to freely disperse.
- Confusion of definitions – trial evacuation per term but childcare unlike schools does not have terms. Agreed that quarterly appropriate.
- Swimming pool requirements for external gates are already accepted by MBIE so could be a similar provision for ECE.
- [Fire and Emergency New Zealand \(Fire Safety, Evacuation Procedures, and Evacuation Schemes\) Regulations 2018](#)
- The Evacuation Scheme approval is in perpetuity but can be revoked. (Can MfR confirm that pre-2018 approved schemes can be revoked).
- A problem is that the regulations are to the building owner and not the ECE licence holder.