



**Te Tāhuhu o
te Mātauranga**
Ministry of Education

Regulatory Impact Statement: Attendance Management Plans for School Boards

Decision sought	This analysis is produced for the purpose of informing Cabinet decisions on the creation of regulations that specify components of Attendance Management Plans (AMPs) that Cabinet has already agreed. The regulations are being progressed through the Education and Training Amendment Bill No 2 (ETAB2) which is currently before Select Committee. The regulations will: • set out thresholds, based on the number of days a student is absent within a school term, to trigger schools' actions and responses to student absence • identify prescribed core components of AMPs including • the overarching attendance objectives and strategic priorities • the mandatory thresholds, • how the school will identify issues that make attendance challenging for a student, • school responses that will be triggered if and when a student enters into any threshold, removing/reducing barriers to attendance, • monitoring and measuring progress; and • specify the period in which a board must review its AMP.
Agency responsible	<i>Ministry of Education</i>
Proposing Ministers	<i>Hon David Seymour, Associate Minister of Education</i>
Date finalised	<i>8/07/2025</i>

Briefly describe the Minister's regulatory proposal

As part of the Government's action plan for attendance, new requirements on attendance management are being introduced for school boards. Starting from Term 1 2026, all state and state-integrated schools in New Zealand will be required to implement AMPs. This requirement is being enabled through ETAB2, which will add Section 137A-D¹ to the Education and Training Act 2020 (the Act). This amendment will also create a new power for regulations to be made about AMPs.

This analysis sets out the options for each of the regulations alongside the Ministry's final recommendations.

¹ See Annex One for Sections 137A-D

Summary: Problem definition and options

What is the policy problem?

Schools have a key role in ensuring students attend school and have a legal obligation to take steps to ensure they do so. However, some schools aren't effectively or consistently responding to address the diverse causes of non-attendance.

School attendance is associated with educational achievement and better life outcomes. New Zealand is experiencing low rates of regular school attendance, and the Government has made attendance a key priority through its attendance action plan.

Schools have a key role alongside parents in ensuring students attend school and are required to do so under section 36 of the Act. However, reports from the Education Review Office (ERO) suggest that some schools aren't effectively or consistently responding to address the diverse causes of non-attendance.

What is the policy objective?

The key objective of this change is to develop effective regulations to support the implementation and ongoing review of AMPs in all state and state-integrated schools. These regulations will clearly set expectations for how schools manage attendance and respond to absences. This will mean schools will be more likely to be effectively and consistently responding to the diverse causes of absence (within their spheres of influence). Schools will be required to develop and implement an AMP by the start of Term One 2026. The proposed regulations will set out how schools will:

- include identified core components in their AMPs.
- use mandatory data-based thresholds as triggers to guide their actions and responses to non-attendance; and
- review their plans regularly.

This is only one aspect of a wider set of actions to improve attendance rates. We would expect that alongside other interventions, such as strengthening board objectives on attendance, mandating the provision of daily attendance data, and the introduction of a Stepped Attendance Response (STAR) (a resource that supports all schools to use thresholds of non-attendance and have responses to each of these), objectives would contribute to better and more equitable outcomes in attendance for all students.

The regulations supporting the development of the AMPs are not intended to solve some of the broader societal issues that create barriers to attendance for students and whānau. They will however, support schools to better understand and respond to the relevant barriers to attendance for the majority of their students.

What policy options have been considered, including any alternatives to regulation?

These regulations refer to changes in the Act in ETAB2 that have already undergone analysis and a previous Regulatory Impact process. This set the initial parameters for the regulations within the context of what is being proposed in ETAB2. In the first instance our analysis has ensured that there is regulatory consideration given for Section 137A-D as proposed in ETAB2. This legislation clearly sets out the requirements for regulations to provide greater clarity for schools regarding AMPs.

Key features of the analysis are how we can get the best balance between:

- Effectiveness and flexibility. Effectiveness being when we ensure the regulations achieve their intended goals, and flexibility, which allows schools to adapt to changing conditions or new information without becoming overly constrained.

Consistency and innovation. Consistency being providing predictability and confidence for schools, and innovation, which enables space for experimentation and change, which can be easily stifled by too heavily constrained regulations.

What consultation has been undertaken?

There has been limited sector engagement. The Ministry has engaged with regional staff to understand the likely impact this change will have on the sector, however, we did not engage with the wider education sector directly about the proposed changes to attendance legislation in ETAB2 due to time constraints or propose to for these regulations. We have met and shared what we were able to about the ETAB2 changes and the regulations, with Māori schooling peak bodies and the Attendance Expert Advisory Group (a group of education experts established to provide advice for the wider suite of Attendance Action plan initiatives). We have also been trialling the STAR directly with schools and discussing with them the AMPs that will be coming and that they will have some regulations with them. Feedback from that process has been inputted into the development of the regulations and the options outlined in this Regulatory Impact Statement (RIS).

We will continue working with the sector to ensure initiatives are fit for purpose and workable in all settings and for all learners. Some of this risk may also be mitigated through Select Committee processes and detailed implementation planning that will inform the design and content of any regulations that are introduced following enactment.

Is the preferred option in the Cabinet paper the same as preferred option in the RIS?

Yes.

Summary: Minister's preferred option in the Cabinet paper**Costs (Core information)**

Outline the key monetised and non-monetised costs, where those costs fall (e.g. what people or organisations, or environments), and the nature of those impacts (e.g. direct or indirect)

- Section 36 of the Act sets out the requirements for students aged 6-16 to attend a registered school whenever it is open. Section 36 (2) states that *"A board or sponsor must take all reasonable steps to ensure that the school's students attend the school when it is open."*
- Given this obligation, all schools should have set out what those steps are and how they enact them. Reports from both the Education Review Office (ERO) and the Ministry show that this is not consistent across the schooling system, which initiated the new additions to the Act – Sections 137A-D, to clearly set out new requirements for schools to have mandatory AMPs in place. The regulations to support 137 A-D are what are being considered in this RIS.
- As this is clarifying and making mandatory what all boards are required to do, the costs to schools should be low, however each school Board will need to spend some time to initially develop the AMP and then review it as required. The time required for this will be dependent on factors such as whether schools already have some form of attendance plan in place or not. The levels of non-attendance a school may be experiencing will also impact the cost for schools. There may be additional costs to the Ministry in supporting the implementation of the AMPs and development of key resources, but this will be absorbed from within the Ministry's operational funding.
- ERO may have additional compliance and monitoring costs, however these are currently unknown. A monitoring and evaluation process is in development; however, it is expected that costs will be met through baseline departmental spend.

Benefits (Core information)

Outline the key monetised and non-monetised benefits, where those benefits fall (e.g. what people or organisations, or environments), and the nature of those impacts (e.g. direct or indirect)

Schools have a key role, alongside parents, in ensuring students attend school and both have an obligation to do so under the Act. However, reports from the ERO show that some schools aren't effectively or consistently responding to address the diverse causes of non-attendance.

Introducing the new Section 137A-D in the Act and the proposed regulations in this RIS will provide the following additional benefits:

- Greater consistency across schools in managing non-attendance and getting students back into regular attendance
- More effective practice and approaches in managing non-attendance being used across the schooling system
- The ability of schools to continue to develop contextualised approaches that they believe will meet local needs
- The receipt of more organised and well signalled support to students that will assist schools and parents knowing what those are if their children reach any of the non-attendance thresholds
- The earlier detection of student absences and identification and removal of barriers to returning them back into regular attendance.

There will be some initial distributional impacts of this intervention on schools. Where schools already have some form of an AMP there will be less time or human resources needed to adapt these into the new AMPs. Schools that have little planning will likely take longer and require more resource in developing a new AMP. Likewise, schools with higher levels of non-attendance may have an initial “up front” workload to develop plans for getting as many of their students as possible back into regular attendance.

There is no impact on competition.

Balance of benefits and costs (Core information)

Does the RIS indicate that the benefits of the Minister’s preferred option are likely to outweigh the costs?

Introducing these regulations is expected to have minimal monetised costs for schools and the costs for the Ministry are expected to be absorbed through Vote Education. As a result, the benefits do outweigh the costs when considering the recommendations from the ERO reports and good practice from overseas that conclude greater clarity and consistency in approach is what can make an impact in reducing the numbers of students who are not attending school regularly.

Implementation

How will the proposal be implemented, who will implement it, and what are the risks?

- The Ministry of Education will support schools to implement the regulatory changes. School boards are accountable for meeting any legislative or regulatory requirement. The Ministry of Education along with ERO will monitor the implementation of the AMPs and the Ministry has the power to intervene where schools are identified as not meeting these requirements through section 171 of the Act “Interventions in State schools by Secretary or Minister”. This sets out the interventions the Secretary or Minister may undertake if there are reasonable grounds for concern about the operation of a school or the welfare or educational performance of its students.
- The Ministry is supporting the implementation of the AMPs and will utilise its regional staff in supporting this process with resources and guidance for schools.
- The implementation risks are that some schools may refuse to implement AMPs. This could be amplified amongst Kaupapa Māori and Māori medium providers who may see the AMPs as removing their right to manage non-attendance through a Te Ao Māori approach that does not align with thresholds and planned responses.
- We have worked with Māori Peak body representatives and updated them as to what is coming and giving them as much lead in time as possible but have not specifically discussed these proposed regulations.
- As stated above, all school boards are responsible for complying with legislation and regulations and there is a range of interventions available for the Ministry if schools do not comply.
- All school boards will need to have a published AMP available online by their first day of Term 1 2026. The Ministry has prepared guidance for schools about how to develop and implement an AMP and this is available online. This guidance will be updated once the regulations are

in place, and regional staff will continue to support schools as required to develop their AMPs in line with the finalised regulations.

Limitations and Constraints on Analysis

Commissioning constraints

The key limitation for the development of this RIS has been the progress of the ETAB2 (which is expected to come into effect by October 2025). Given the timing for final decisions to be made, and the sequencing of the advice to Cabinet on the proposed new changes to the Act discussed in this RIS, there have been some constraints for the Ministry's analysis, including:

- **Policy process.** The timeframes have meant that the ETAB2 changes must be made and enacted before the AMP regulations can be enacted. This means that the authorisation to make regulations might change as ETAB2 travels through the legislative process.
- **Limited sector engagement.** The Ministry has not engaged with the education sector directly about the proposed changes to attendance legislation in ETAB2 or these regulations due to time constraints. We have met and shared what we were able to about the ETAB2 changes and the regulations with Māori schooling peak bodies and the Attendance Expert Advisory Group (a group of education experts established to provide advice for the wider suite of Attendance Action plan initiatives). We have also been trialling the STAR directly with schools and discussing the AMPs with schools as part of this. Feedback from that process has been used in the development of the regulations and the options outlined in this RIS.
- We will continue working with the sector to ensure initiatives are fit for purpose and workable in all settings and for all learners. Some of this risk may also be mitigated through Select Committee processes and detailed implementation planning that will inform the design and content of any regulations that are introduced following enactment.
- **Constraints on Te Tiriti analysis.** The Crown has an obligation to give effect to the Treaty of Waitangi | Te Tiriti in its decision making.

I have read the Regulatory Impact Statement, and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the preferred option.

Responsible Manager(s) signature: _____

Sela Finau

**General Manager, Learner Success
and Tiriti Policy**

10 July 2025

Quality Assurance Statement

Reviewing Agency: Ministry of Education

QA rating: Partially meets

Panel Comment: The Ministry of Education's Quality Assurance Panel has reviewed the Regulatory Impact Statement produced by the Ministry of Education. The panel considers that the constraints imposed on analysis by the timeframe for developing proposals, and the consequential lack of consultation to inform the policy development process, affects the assessment of viable implementation of the proposals to the extent that this RIS can only be assessed as partially meeting the Quality Assurance criteria. Despite these constraints, the RIS provides useful and clear analysis of some options for better enabling the

implementation and ongoing review of Attendance Management Plans in state and state-integrated schools.

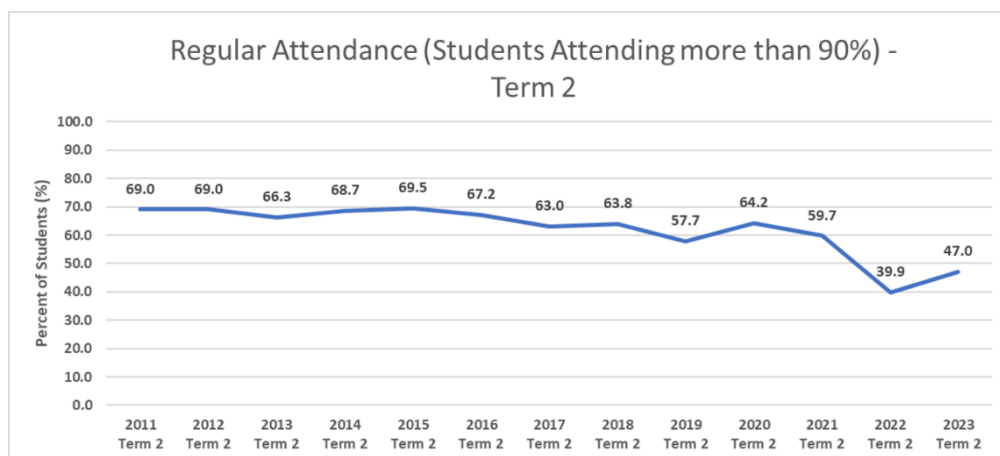
Section 1: Diagnosing the policy problem

What is the context behind the policy problem and how is the status quo expected to develop?

New Zealand has low rates of regular school attendance

1. There is a long-standing concern that attendance rates are low in New Zealand. Between 2015 and 2019 regular attendance rates² declined from 69.5% to 57.7%. The COVID-19 pandemic has accelerated this decline due to disruptions and isolation requirements and was at 39.9% in Term 2 2022. There has been a recent recovery with regular attendance rates up to 58.1% in Term 4 2024³. However, it is not back to pre-COVID levels yet and it is too early to say whether this is going to be an upward trend. New Zealand's attendance rates are lower than in other countries that use similar attendance measures such as Australia, the USA, England, and Ireland.
2. Students who are chronically absent (attending less than 70% of the time) are at risk of poor education outcomes and poor life outcomes. Some groups of students are over-represented in low attendance rates. For example, attendance rates have been lowered for students in lower decile schools,⁴ Māori and Pacific students, and secondary school students.

Figure 1: Regular attendance in New Zealand has been declining



The drivers of attendance and absence are complex

3. The reasons for New Zealand's overall decline in regular school attendance are wide ranging and interconnected. Drivers of absences include both in school and out of school factors:
 - **Out of school factors** include health and mental health issues, lack of resources for transport, food or school-related materials, disruptions in the family or low parental expectations, and community or system level factors like insecure housing and poverty.

² Regular attendance is defined as attending school more than 90% of the term

³ <https://www.educationcounts.govt.nz/statistics/attendance>

⁴ The decile system, which measured the overall socio-economic mix of students at a school, was replaced with the Equity Index in January 2023.

- **In school factors** include bullying and discrimination, poor teacher-student or teacher-parent relationships, relaxed attitudes around attendance in the school, and the curriculum not being sufficiently engaging or culturally responsive.
4. Because of these wide ranging and interconnected drivers of absences, many groups have responsibilities for supporting attendance, including the Ministry, schools, parents and whānau, other government agencies and the wider community. Due to the complexity of the factors that drive absence, there is no one-size-fits-all response to non-attendance. Schools will need to be able to identify the barriers and responses to non-attendance that are relevant to their student population.

Schools have responsibilities to make sure that enrolled students attend

5. Schools are required under section 36 of the Act to take all reasonable steps to ensure that the school's enrolled students attend school when it is open.
6. To support schools to meet their responsibilities, the Ministry provides guidance on developing attendance plans, responding to absences, and funds Attendance Services and local initiatives.⁵ Takiwā staff have also increased their focus on attendance in recent years as part of the Attendance and Engagement Strategy published in 2022 by the previous government.

Some schools are not effectively or consistently responding to address the diverse causes of non-attendance

7. Reviews undertaken by the Education Review Office (ERO) suggest that some schools are not effectively and consistently⁶ responding to address the diverse causes of absence in their sphere of influence. While most schools are providing positive educational experiences for students, there are variations in practice. For example, an ERO report published in 2022 found that not all schools have systems to identify attendance patterns, and that schools have variable expectations for regular attendance.⁷ These findings were largely repeated in an ERO briefing provided to the Associate Minister in 2024.⁸ This report also found that in some areas many schools were showing improvement.
8. Based on our review of these reports and feedback from takiwā staff, we have summarised the reasons for this variation in response as being that some schools:
- may not be clear about what the expectations are for attendance,
 - are not closely monitoring students who have had low attendance, or don't have plans in place to respond quickly when there are signs that attendance is slipping,
 - make assumptions about students' needs and the barriers to their attendance and may not be engaging sufficiently and effectively with students and their families and whānau to better identify them,

⁵ Local initiatives funded by the RRF include supporting families to access / fund the basics needed to get students to school, assigning or appointing people to focus on attendance within schools, and raising awareness through community events and social media campaigns

⁶ Consistency here refers both to consistent responses to absences within a school and that all schools are at a minimum using a data informed and systematised approach to monitoring and responding to absences.

⁷ Education Review Office (2022) *Missing Out: Why Aren't Our Children Going to School?* page 111.

⁸ Education Review Office (2024) *Emerging themes from fieldwork: Evaluation of supports for addressing persistent absence from school* (Briefing).

- are not clear about when it is appropriate to intervene. Some schools wait too long to intervene while, in other cases, some schools withdraw support too early,
- are not clear what their roles and responsibilities are separate to those of the Ministry and other actors. This leads to both gaps and overlaps in the work that different people and agencies do, as well as limited collaboration and information sharing in general; and
- may lack the resources, capacity or capability to manage attendance effectively.

This Government has launched the attendance action plan to respond

9. In March 2024, the Government announced its attendance action plan which identified immediate actions and committed to investigating more systemic change that should have meaningful impact. One of the immediate actions included in the action plan was to develop a Stepped Attendance Response (STAR) which sets out the requirements and expectations for parents, schools, and the Ministry at different levels of a student's attendance. The guidance specifies baseline expectations for schools, parents and the Ministry and identifies thresholds (numbers of days absent) at which responses are required.
10. ETAB2 is currently before the House and if passed, it will introduce mandatory AMPs that all schools must have in place by the start of Term One 2026. The regulations that are the subject of this RIS will support the embedding of the AMPs into the schooling system.

What is the policy problem or opportunity?

There is an opportunity to strengthen school responses to non-attendance through increasing school boards' consideration of causes of absence and the responses to these

11. The introduction of the AMPs means that boards will need to consider the barriers to attendance that students at their school face, as well as developing a plan to respond to the reasons for absence. This will lead to boards becoming more focused and consistent with school non-attendance. Creating supporting regulations is necessary to specify the core components of AMPs and will clarify those expectations that schools will be required to take in meeting their obligations in supporting their students to attend school. They will also enable ERO to better play an active role in compliance in regard to the AMPs.

What objectives are sought in relation to the policy problem?

The key objective of this change is to clearly set expectations for how schools manage attendance and respond to absences. Greater direction is also needed to identify early trends in student non-attendance, establish responses that look to remove barriers for students getting back to regular attendance, and monitor and evaluate progress. This will mean schools will be more likely to be effectively and consistently responding to the diverse causes of absence (within their spheres of influence). Legislation will require schools to develop and implement an AMP by the start of Term One 2026. The regulations will set out for schools:

- What are essential components to have in their AMPs;
 - What thresholds they have to use to better identify and respond to non-attendance in their schools
 - How they need to review their plans regularly and make changes to or create a new plan.
12. This is only one aspect of a wider set of actions to improve attendance rates. We would expect that alongside other interventions, such as strengthening board objectives on attendance and mandating the provision of daily attendance data, these objectives would contribute to better and more equitable outcomes in attendance for all students.

What consultation has been undertaken?

13. There has been limited sector engagement. The Ministry did not engage with the wider education sector directly about the proposed changes to attendance legislation in ETAB2 due to time constraints or propose to for these regulations. We have met and shared what we were able to about the ETAB2 changes and the regulations, with Māori schooling peak bodies and the Education Advisory Group (a group of education experts established to provide advice for the wider suite of Attendance Action plan initiatives). We have also been trialling the STAR directly with schools and discussing with them the AMPs that are scheduled to be implemented in time for Term 1 2026. This has included telling schools that the AMPs will be supported by regulations. Feedback from that process has been used in the development of the regulations and the options outlined in this RIS.
14. We will continue working with the sector to ensure initiatives are fit for purpose and workable in all settings and for all learners. Some of this risk may also be mitigated through Select Committee processes and detailed implementation planning that will inform the design and content of any regulations that are introduced following enactment.

Section 2: Assessing options to address the policy problem**What criteria will be used to compare options to the status quo?**

15. The Ministry has assessed options for adding regulations to clarify and set out responsibilities for the new sections 137A-D of the Act as outlined in ETAB2, based on the following criteria and compared them against the status quo. These criteria are developed to assess the overall costs and benefits of each option and the extent to which they meet the policy objectives.

Criteria	Description
<i>Effectiveness</i>	The extent to which the options are likely to achieve the policy objectives.
<i>Consistency</i>	The extent to which the option encourages consistent and predictable, data-informed approaches in how schools identify and respond to attendance issues.
<i>Flexibility/Innovation</i>	The extent to which the option allows flexibility for schools to respond to attendance issues in a way that addresses the unique needs and context of their school community and enables innovative approaches to be tried.
<i>Costs</i>	The extent to which the option poses fiscal costs and administrative burden on schools, and implementation costs for the Ministry.

What scope will options be considered within?

16. These regulations refer to changes in the Education Act in ETAB2 that have already undergone analysis and a previous Regulation Impact process. The options considered for the AMP regulations needed to find a balance between improving consistency across current school approaches to recognising and responding to non-attendance, while also ensuring enough flexibility for schools to shape their approaches to fit their local school context and community. It was also important that the options were not so prescriptive and specific that the regulations risk AMP development becoming a tick box exercise. Rather, the regulations need to provide enough direction so that boards need to consider the specific context of their school when developing strategies to return students to regular attendance.

What options are being considered?

Specifying thresholds

Outcome: AMPs state clear thresholds of absence that are consistent with existing guidance, enabling schools to easily identify which threshold of absence a student is in and then take an appropriate intervention

We considered three options for this proposed regulation.

Option 1 – Status Quo

17. The status quo is where schools develop their own measures and thresholds for responding to their non-attendance.

Option 2 – thresholds align with current guidance (up to 5 days absent per term, 5-9 days, 10-14 days, 15 days plus)

18. Option two is that AMPs use the same thresholds that are in current guidance, such as the STAR (up to 5 days absent per term, 5-9 days, 10-14 days, 15 days plus).

Option 3 – same as option 2, but with a higher first threshold

19. Option three is AMPs using similar thresholds as in option two but pushing the first threshold of 5 days out to 7 days. This is in recognition of absence due to illness increasing in Term 2 and Term 3. This could mean the 5-day threshold could easily be met due to illness, increasing the workload for schools in having to respond.

Specifying key components of an AMP

Outcome: All AMPs will contain the following main components that schools will give regard to, in the first instance, for developing their AMP. With specific reference given to the following core components:

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- the overarching attendance objectives and strategic priorities;
- the mandatory thresholds;
- how the school will identify issues that make attendance challenging for a student;
- school responses (including removing/reducing barriers to attendance) that will be triggered if and when a student enters into any threshold; and
- monitoring and measuring progress.

Option 1 – Status Quo

Option 2 – Sufficient broad detail that clearly sets out the core components of an AMP

Option 3 – Set out fulsome detail of each core component to be in an AMP

Specifying the period in which a board must review its attendance management plan

Outcome: clear articulation of the maximum time period that is allowed before schools have to review their AMPs but signalling this can be done at any time before this if a school sees fit.

We considered three options for this proposed regulation.

Option 1 – Status Quo

20. The status quo is where schools develop their own measures and thresholds for responding to their non-attendance and review as they see necessary.

Option 2 – Review AMPs at least every three years

21. Option two is that schools will review their AMPs at least every three years, aligned with School Planning and Reporting process that all schools must complete, or as otherwise directed by the Secretary for Education.

Option 3 – Review AMPs annually

22. Option three is that schools will review their AMPs annually.

Key for assessing options

Significantly better than the status quo	+++	Much better than the status quo	++
better than the status quo	+	Similar to the status quo	0
Worse than the status quo	-		

How do the options compare to the status quo/counterfactual?

Analysis – Options for specifying thresholds

Criteria	Option 1- Status Quo – Schools develop plans based on their own thresholds	Option 2 up to 5 days, 5-9 days, 10-14 days, 15 days plus per term	Option 3 push 5-day threshold out further to say 7 days
Effectiveness	All schools will have to develop a plan and have responses to locally developed thresholds that could be based on different ranges. Challenging for recording nationally and for developing a consistent measure. Mixtures of approaches will make effectiveness challenging to gauge. 0	Aligns with STAR thresholds which are currently being implemented and tested, so schools are already familiar with these. The thresholds match the absence groupings that the Ministry already uses so effectiveness of data collection will be high. +++	Doesn't align with STAR which is already being implemented in schools Goes against efforts to change system view that every absence counts Could reduce some workload for schools when sickness is the known cause and is at its greatest during Terms 2 and 3. ++
Consistency	A range of different measurement approaches will continue to make it challenging to compare school progress, and different thresholds could mask underlying and persistent challenges. 0	If all schools are using the same thresholds, then consistency can be guaranteed. +++	The same as option 2 – just a slightly different first threshold. +++
Flexibility	Highly flexible but will make consistency of approach challenging 0	Reduced flexibility from the status quo to meet local contexts but will bring consistency in approach. It still provides flexibility within the thresholds for schools to respond in the way they see best. +	Same as option 2. Reduced flexibility from the status quo to meet local contexts but will bring consistency in approach. It still provides flexibility within the thresholds for schools to respond in the way they see best. +

Costs	Compliance costs for schools who wish to develop and record data against, their own thresholds would be minor. The costs for the Ministry will be in developing and publishing STAR guidance and updating attendance management templates, and in supporting implementation, under the status quo. 0	While we don't expect costs would be significant for schools, it may be higher for those who have little in the way of a current attendance plan and thresholds for action (i.e., time is needed to develop the plan). At this stage it is unknown how many schools have some form of attendance plan in place already. Takiwā have indicated that this requirement will involve a minor change where a plan is already in place, with more work required when a school has no existing plan. Resources to support AMP development will be available online, with regional advisors available to provide additional support as needed. This will help mitigate the time needed to develop an AMP. An effective regulatory system for the level of prescription under this option would require higher resourcing for guidance, support, monitoring compliance and enforcement. The exact cost of this is currently unknown. -	Similar to option 2. Analysis showed that there is an increase in numbers of students absent from schools due to illness in terms 2 and less so in term 3. However, when taken across all schools the increase was not as substantive as when considered school by school. An effective regulatory system for the level of prescription under this option would require higher resourcing for guidance, support, monitoring compliance and enforcement. -
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Analysis – Options for prescribing core components of an AMP

Criteria	Option 1- Status Quo – schools develop their own core components of their AMP determined by their local context	Option 2 – regulations set the core components that all schools will be expected to have in their AMPs	Option 3 – regulations set out detailed aspects of each core component in an AMP
Effectiveness	ERO reports and Ministry feedback show that school effectiveness in managing non-attendance currently is patchy and varies widely between schools. Having school AMPs with different components will make it	Providing greater clarity about what schools are expected to have in their AMPs will lead to greater understanding of how to address non-attendance by reinforcing the key areas to focus on. This should lift the schooling system's	Providing detailed aspects of each core component to be in an AMP has the risk of establishing a checklist of things that become the focus regardless of any local context. This could cause over compliance and a lack of

	challenging to assess effectiveness between schools and to know how they are tracking in different key areas. 0	effectiveness in returning non attending students back into regular attendance. ++	planning that looks further than whatever the regulations set. This means important aspects of local non-attendance could be missed, reducing effectiveness of interventions. The Ministry will provide advice and guidance including good practice that emerges as schools develop and improve their planning. +
Consistency	Consistency in approaches to attendance planning is patchy and makes it challenging for schools that do not have a strong history in doing so. 0	Clarity of expectation about what every school is expected to have in the AMP should lead to greater consistency in approaches over time. Where good practice emerges, it can be shown in which component area and schools can assess if they have areas of strengths or weaknesses across the core components. ++	Detailed information about each core component will build consistency across the system and have all schools applying the same or similar content. +++
Flexibility / innovation	The current state allows for great flexibility in school approaches to setting out their attendance plans, but this is offset by inconsistency and a lack of overall effectiveness. 0	There will be less flexibility than what is currently available, but the regulations will not set out everything that should be in an AMP, just the core components that form the basis of every AMP. Schools will still be able to add other components as and when they see the need. -	Detailed regulations can sometimes have the effect of creating a list of things that people follow and comply with. While initially desirable, it can lead to creating a sense of inflexibility and stymie innovation. -
Costs	Financial costs are likely to be low but there is likely to be costs in time and efficiency for the way schools manage their attendance planning currently. 0	Financial costs are likely to be low for schools but there will be costs in time and resource for schools in developing new plans that will have to focus on the core components. To mitigate any costs, resources to support AMP development will be available online, with regional advisors available to provide additional support as needed. There may also be some costs to the Ministry and ERO in ensuring compliance against new regulations, however as compliance details are still being finalised, the specific costs related to this are unknown. +	Financial costs are likely to be low for schools but there will be costs in time and resource for schools in developing new plans that will have to focus on the core components. There may also be some costs to the Ministry in ensuring compliance against new regulations, however the exact costs are currently unknown. +

Analysis – Options for specifying the period in which a board must review its attendance management plan and requirements for making a new plan or altering an existing plan and notifying their school community

Criteria	Option 1- Status Quo – Schools review their own plans at a time that suits their local context	Option 2 – review plans at least every three years, or as otherwise directed by the Secretary for Education	Option 3 – review plans annually
Effectiveness	ERO and Ministry reports on attendance show patchy and irregular processes about attendance and approaches to getting kids back into regular attendance. Without regular review of plans and evaluating effectiveness of approaches has contributed to a system that is not as effective as it should be as a whole. 0	School planning and reporting is a well embedded and well understood for school boards and leaders. The review of strategic plans is every three years. Aligning the review period of AMPs with this timeframe mean that reminders and prompts about strategic plans that are sent out can also include AMPs. Boards reviewing their strategic plan could then incorporate a review of their AMPs in the same process leading to greater effectiveness. Schools will be able to alter their plans whenever they want though as the regulation will set a maximum time before review is required. ++	There is the possibility that plans could be reviewed annually. This has the potential to lock schools into a constant cycle of review and change rather than focusing on a plan and adapting as they go. This can lead to review fatigue and changing things before longer term changes may be able to be embedded and benefits being realised. +
Consistency	The status quo has patchy consistency across the schooling system in reviewing their plans. It is difficult to know when a plan has been changed or updated or when it was last reviewed. 0	Setting a maximum time for schools to review their AMP enables them to put in place the resources and time for it to be able to function. It also enables them to monitor and adjust as they execute their plans before reviewing the overall effectiveness of the plan. If the plan is found to be not working before three years is up, then they can make changes and, if substantive, post their new plan online. This option builds consistency and also allows schools to make changes as and when they need to rather than waiting for the compulsory review time while also setting a fixed time for everyone to have to review their AMPs	Annual review will build consistency in reviewing of plans but has the potential to lock schools into reviewing often and possibly not focusing on implementing their plans and then working towards the goals and targets they have set in their plan. Monitoring progress towards the AMPs goals and targets is desirable but not at the expense of reviewing often and constantly making changes. This could lead to less consistent implementation and execution of the plans. Setting out requirements for how they communicate when the plan was reviewed and whether a new plan was adopted or slight

		even if they think they are progressing well. Setting out requirements for how they communicate when the plan was reviewed and whether a new plan was adopted or slight alterations were made to an existing plan will enable parents, the school community, and the Ministry and ERO to know when the plan was updated and by how much. ++	alterations were made to an existing plan will enable parents, the school community, and the Ministry and ERO to know when the plan was updated and by how much +++
Flexibility	Status quo has the greatest flexibility as there are no current regulations that seek to regulate the behaviour of schools regarding returning students to regular attendance. 0	This option provides a set time (every three years) that a school must have reviewed and adapted their current plan or adopt a new one. It also enables schools the time to see through changes that sometimes can take longer than a year before benefits are realised. ++	This option offers the least flexibility and while it could possibly lead to greater consistency it may also lead to greater focus on constant review and change rather than seeing the plan through, monitoring progress and responding to what the data is presenting and adapting small changes as and when needed, which is regarded as effective practice. +
Costs	there will be little cost to schools with this option apart from whatever they are investing now. The costs for the Ministry will be in developing and publishing guidance and in supporting schools to build their practice, under the status quo. 0	While we don't expect costs would be significant for schools. It may be higher for those who have little in the way of a current attendance plan and thresholds for action. Takiwā have indicated that this requirement will involve a minor change for some schools, but a bigger change for others. The exact costs for schools are unknown at this stage, however, this should only administrative costs as with other planning and reporting exercises (i.e., peoples' time). An effective regulatory system for the level of prescription under this option would require higher resourcing for guidance, support, monitoring compliance and enforcement. -	Similar to option 2. There may be slightly higher internal costs depending on the time taken and who is involved, in reviewing the AMP every year. An effective regulatory system for the level of prescription under this option would require higher resourcing for guidance, support, monitoring compliance and enforcement. -

Te Tiriti o Waitangi/Treaty of Waitangi Analysis

27. The Crown has a duty to actively promote and protect Tiriti/Treaty rights and interests and to develop education settings in a way that supports Māori-Crown relationships. The following summary of Te Tiriti/The Treaty implications consider the ways in which this policy may intentionally or unintentionally impact Māori and assesses each option against articles 1-3 of Te Tiriti/The Treaty. While separate columns have not been included for the preamble and Article 4 of Te Tiriti/The Treaty, provisions relating to these, such as the extent to which options protect from harm, enable cultural customs, or recognise wairua, mauri, rongoā and tikanga, have been considered where relevant.

Key: Each option is ranked based on the following criteria.	Poor	Limited	Fair	Excellent
	Little or no consideration of the article, principle, or outcome domain. Little or no evidence can be provided to answer questions. Significantly more consideration of the article, principle, or outcome domain is needed .	Limited consideration of the article, principle, or outcome domain. Limited evidence can be provided to answer questions. More consideration of the article, principle or outcome domain is needed .	A fair amount of consideration of the article, principle, or outcome domain. Sufficient evidence can be provided to answer questions but there are gaps . More could be done to ensure consideration is excellent.	In depth consideration of the article, principle, or outcome domain. Sufficient evidence is provided to answer all questions with no gaps . Still potential for more development.
	Article 1: Kāwanatanga		Article 2: Tino Rangatiratanga	Article 3: Ōritetanga
Interpretation	The Crown has the right to govern (kāwanatanga). Good governance must protect Māori interests and ensure equitable Māori engagement and/or leadership in priorities and decisions.		Provides Māori with tino rangatiratanga or absolute sovereignty over all their whenua, kāinga and taonga.	Promises to Māori the benefits of royal protection and full citizenship. This Article emphasises the rights of Māori to live as Māori in a manner consistent with whānau, hapū and/or iwi values and traditions.
Relevance to problem definition	The Crown's Kāwanatanga commitments include engaging with Māori when making decisions that will affect them. Genuine engagement with Māori representatives on any new requirement is critical to supporting Māori-Crown relationships and meeting our partnership responsibilities. This is explicitly referenced in section 4 of the Act.		Māori have rights and interests in relation to how they manage their own affairs including matters relating to attendance and achievement of their tamariki Māori in schools. For an option to uphold Article 2, Māori should be given flexibility to address the diverse causes of non-attendance in a way that works for them. This is particularly relevant as there is some evidence that Māori view the issue of attendance in a unique way and therefore may want to tailor their responses differently.	The Government has an obligation to actively protect Māori students to ensure that they have equitable learning outcomes, in this instance, achievement, in the education system. Evidence shows a strong correlation between attendance and academic achievement for Māori in English medium education. While this may not be a significant factor for achievement in kaupapa Māori education settings and Māori medium schools, there is still a correlation. Effective and consistent responses to address the diverse causes of non-attendance are central to lifting attendance rates and, to varying degrees, achievement rates, for Māori.

			Māori in English medium schools may also have differing needs from other students which will need to be acknowledged, understood and taken into account by schools when dealing with their attendance.
AMP regulations: 1. Specifying thresholds Preferred option –up to 5 days, 5-9 days, 10-14 days, 15 days plus per term	Limited	Limited	Limited
	Timeframes for meeting implementation by the start of Term One 2026 mean we will not be able to engage fully with Māori to inform the development of regulations to support the new amendments to the Act. Māori peak bodies were consulted with in regard to the Tier One legislative changes that are currently travelling through the select committee process and are aware of the changes being sought by the legislative package overall. This risk will be partially mitigated by some engagement through Select Committee processes, meeting with Māori peak bodies in education, and detailed implementation planning.	Under this preferred option, kaupapa Māori and Māori medium education settings will have reduced flexibility in how they set their own thresholds of non-attendance. In regard to the principle, this regulation could be interpreted as not upholding this principle. Consultation has been limited and kura will likely see it as being imposed on them and therefore not upholding their tino rangatiratanga There will still be some discretion regarding the responses and plans they put in place to get ākonga back to regular attendance, but the regulations will not have been designed by Māori for Māori.	Requiring schools to develop an AMP based on these mandatory thresholds of absence could address the variation in school and kura responses and therefore be a step towards addressing the inequities that exist in attendance and educational achievement for ākonga Māori. Young Māori are overrepresented in non-attendance statistics and attempts by schools and kura to get all students back into regular school attendance could be a positive impact in supporting ākonga Māori. The extent to which the approach embodied in the mandatory thresholds would be appropriate or effective for diverse learners or school contexts is not clear. We anticipate this may be an issue in kaupapa Māori and Māori medium learning settings, and for ākonga Māori in English medium learning settings. However, this could be mitigated by the increased focus on encouraging attendance.
	Limited	Fair	Limited
AMP regulations: 2. Prescribing core components of an AMP Preferred option – Option 2 -	As for previous regulation	Under this preferred option, kaupapa Māori and Māori medium education settings will have reduced flexibility in what they choose to have in their attendance management plans. In regard to the principle, this regulation could be interpreted as not upholding this principle. Consultation has been limited and kura will likely see it as being imposed on them and therefore not upholding their tino rangatiratanga However, there will still be discretion regarding total content as other aspects can be included in the AMP.	Requiring schools to develop an AMP based on these mandatory core components could address the variation in school responses and therefore be a step towards addressing the inequities that exist in attendance and educational achievement for ākonga Māori. Young Māori are overrepresented in non-attendance statistics. Setting out the core components of an AMP that include supporting schools and kura to plan and investigate each students non-attendance to understand what is needed to get them back into regular school attendance, could be a positive impact in supporting ākonga Māori. However, the extent to which the core components would be appropriate or effective for diverse learners or school

			contexts is not clear. Schools will need to be able to look empathetically into each case and recognise the cultural context that may be at play in each student's case and be able to put in place a culturally appropriate response.
	Limited	Fair	Fair
AMP regulations: 3. Specifying the period in which a board must review its AMP Preferred option – Option 2 review plans at least every three years, or as otherwise directed by the Secretary for Education	As for previous regulation	Under this preferred option, kaupapa Māori and Māori medium education settings will have reduced flexibility in when they choose to review their management plans. In regard to the principle, this regulation could be interpreted as not upholding this principle. Consultation has been limited and kura will likely see it as being imposed on them and therefore not upholding their tino rangatiratanga. However, with the proposed review timelines being set as a maximum of three years kura will be able to review their AMPs any time over that 3-year period.	Requiring schools to review their AMPs at least every three years could address the variation in school responses and therefore be a step towards addressing the inequities that exist in attendance and educational achievement for ākonga Māori. However, the extent to which the approach embodied in this mandatory requirement would be appropriate or effective for diverse learners or school contexts is not clear. We don't anticipate this to be a significant issue in kaupapa Māori and Māori medium learning settings, and for ākonga Māori in English medium learning settings, though as schools can review their AMPs as and when monitoring shows the need up to 3 years before having to review them. This will be mitigated by the increased focus on encouraging attendance.

What options are likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

We recommend the following options

Specifying thresholds. Best option: Option two.

28. After assessing the options against the above criteria, we consider that option two (setting thresholds at up to 5 days, 5-9 days, 10-14 days, 15 days plus of absence per term) would result in the highest net-benefit.
29. While option three scored just slightly less, we consider that the disadvantages associated with extending the first threshold to 7 days, outweighed the benefits of increased effectiveness and consistency shown in option two. This was amplified by the fact that option two mirrors the thresholds in the STAR and, while these are not mandatory, they will be promoted as good practice across the schooling sector.
30. Option two will give less flexibility to schools as they do not have to respond to different thresholds of non-attendance currently. However, while the thresholds will be set, the way they respond to students as they move in and out of the different thresholds will continue to be determined by each school to best suit their contexts.

Prescribing core components of an AMP. Best option: Option two.

31. After assessing the options against the above criteria, we consider that option two (set the core components that all schools will be expected to have in their AMPs) would result in the highest net-benefit.
32. Option two scored consistently better than the status quo apart from the flexibility score. It provides a good middle ground for this regulation as it sets the requirement for what all schools will be required to have in their AMPs while providing scope for schools to add other aspects that they see as being important to their own local contexts, without creating so much detail that flexibility in approach is reduced or that over compliance develops a tick-box approach to planning.
33. Option 3 runs the risk of trying to include everything that should be in each of the core components when a lot of the attendance work is emergent and what may be thought of now could become obsolete in 6 months and new things will emerge that could be added to the detailed information.
34. To counter this the Ministry will be providing guidance and advice to schools that can capture this dynamic information and be provided more easily than through a regulatory tool.

Specifying the period in which a board must review its Attendance Management Plan. Best option: Option two.

35. After assessing the options against the above criteria, we consider that option two (review plans at least every three years, or as otherwise directed by the Secretary for Education) would result in the highest net-benefit.
36. Options two and three both had similar scores. Where we felt that option two had a slight advantage was in effectiveness, where having an up to three yearly cycle of review had an advantage as it aligns with School Planning and Reporting (SPR). The SPR process is well

known to boards and school leaders. The strategic plan sets the objectives schools will pursue over the course of three years, putting in place annual plans and reporting on progress each year.

37. Setting the review periods for AMPs the same as SPR means that they could become part of the same process, helping keep boards and principals in the same evaluative and strategic mindsets when considering their AMPs.
38. It was also felt that reviewing an AMP every year could get schools more focused on review rather than setting plans and strategies, executing those plans and then monitoring progress. This can lead to not giving new strategies the chance to become embedded and the opportunity to become successful over a longer time frame than just one year.
39. Setting the upper time limit of review also means schools can review their plans at any time particularly if their monitoring is showing some things may not be working as well as anticipated. This will provide flexibility for schools while also setting the expectation that monitoring, and review of AMPs is an expectation, and compliance will be confirmed through monitoring by ERO and the Ministry.

Is the Minister's preferred option in the Cabinet paper the same as the agency's preferred option in the RIS?

40. Yes.

What are the marginal costs and benefits of the preferred option in the Cabinet paper?

41. The table below sets out the costs and benefits of each against the status quo. We expect to have more certainty around the potential costs and benefits following consultation and engagement with the sector in Term 3 2024.

Affected groups (identify)	Comment <i>nature of cost or benefit (e.g., ongoing, one-off), evidence and assumption (egg, compliance rates), risks.</i>	Impact <i>\$m present value where appropriate, for monetised impacts; high, medium or low for non-monetised impacts.</i>	Evidence Certainty <i>High, medium, or low, and explain reasoning in comment column.</i>
Additional costs of the preferred option compared to taking no action			
Regulated groups (State school boards and school principals)	Schools and kura that do not have an AMP will need to develop one. Where the school's AMP does not currently contain the content specified in regulation, they will need to update their AMP to meet the requirements. There will also be a cost on schools to periodically review and potentially redevelop their AMP.	Low	Low

	We expect these costs to be minimal and to be met within baseline operational funding, as with other planning and reporting exercises. Because schools and kura are already required under section 36 of the Act to take all reasonable steps to ensure their students attend, we expect operational funding to already be covering these activities. However, for some schools with large rolls, or very small rolls, there is a risk that this expectation will focus their resources away from operationalising attendance issues. The exact impact is unknown; however. This is because schools are self-managing entities and use their staffing entitlement and operational funding to run their schools differently depending on their needs and context in which they operate. This makes it very challenging to ascertain the amount of resourcing they use to manage their current attendance processes and procedures. However, it is highly likely that any costs are going to be administrative and time as they make adjustments to use an AMP based approach to managing non-attendance in the future. Changes will involve administrative resources (e.g., the time of Board members to initially develop and then review the plan every three years, and the internal systems and processes that are used by school staff to track and manage non-attendance) and will be mitigated by the availability of guidance, templates, and changes to Student Management Systems (SMS) to support schools. In regard to Board members, it is important to note that they are effectively volunteers, and additional Board duties can impact their effectiveness and ability to fulfil all required functions. The STAR trial, which is currently running, has been able to reveal that: • Many of the schools in the STAR trial were not concerned about meeting future AMP requirements as they already had plans in place		
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	- For most, any changes would largely entail tweaks to their existing documentation. But this will differ between schools. - Main process change will likely be to the new thresholds, and this will likely be moving from using percentage of days to actual numbers of days. - Schools were looking for tools (particularly in their SMS) that make it easy for them to use the thresholds, and one SMS provider had already made that change in their software using the STAR guidance.		
Regulators (Ministry of Education)	The Ministry will develop guidelines and templates to support schools and Ministry frontline staff will support, monitor and manage the implementation process where required. The exact costs are currently unknown, however, it is anticipated that this will be met through baseline departmental spend.	Low	Medium
Parents, students and whānau	No cost	No cost	Medium
Others (e.g., agencies such as ERO)	ERO may have additional compliance and monitoring costs, however these are currently unknown. A monitoring and evaluation process is in development; however it is expected that costs will be met through baseline departmental spend.	Low	Low
Total monetised costs	Unknown, but expected to be low.	Low	
Non-monetised costs	Unknown, but expected to be low.	Low	
Additional benefits of the preferred option compared to taking no action			
Regulated groups (State school boards and school principals)	Schools will get greater clarity about what is expected of them.	Low	Medium
Regulators (Ministry of Education)	There may be increased transparency from the requirement on schools to publish their AMPs. However, the extent to which the	Low	Medium

	Ministry will be able to monitor this is still to be determined.		
Others (e.g., parents, students, whānau)	Schools are likely to be clearer about their expectations and therefore be likely to take better measures to prevent attendance rates from slipping and provide the help that students and families/whānau may need. There will be increased transparency as AMPs will be published for students and families/whānau to view.	Medium	Low – it is unknown the exact impact that the AMPs will have on students, though we expect that schools having clearer procedures to identify and respond to different levels of absence, that are relevant to their school, will positively impact student attendance.
Total monetised benefits		Low	
Non-monetised benefits		Medium	

Section 3: Delivering an option

How will the proposal be implemented?

42. The Ministry is in the process of trialling the STAR with schools and has been developing guidance and resources to support schools with their attendance management. Regional staff will actively support schools to develop their AMPs using the STAR during Term 3 and 4 this year to ensure schools have sufficient support to be successful in developing their plans. Schools can also now access resources, including implementation information and templates, to support them in developing their AMPs. These will be enhanced and refined once the STAR trial is complete and the AMP regulations have been drafted. Schools who prepare a draft AMP before the legislation is enacted will need to review their AMP to ensure it meets the final legal requirements before being finalised by the first day of Term 1 2026.
43. The resources set out the implementation timeline for the AMPs and the three phases of implementation:
 1. Understanding what will be required for your plan
 2. Updating or developing your plan
 3. Implementing your plan
44. The Ministry will ask schools to voluntarily develop AMPs ahead of amending the legislative framework. This will mean that many schools should have AMPs in place by the time the regulatory requirements come into effect in late 2025.

45. There is a risk to implementation however, as the regulations are dependent on no substantive changes happening to the proposed amendments and additions to the Act as set out in ETAB2. If there are changes to 137 A-D for example, then this could impact the regulations set out in this RIS. Secondly if ETAB2 is held up then the regulations cannot be made until the Act has been passed. The proposed timeline for ETAB2 is late September or early October. This already does not leave schools a lot of time to prepare AMPs for the start of Term One 2026 at a very busy time of year. Any delays could make this timeline unrealistic for some schools.
46. The Ministry is also exploring possible changes to the technology schools use to monitor the implementation of the AMPs and developing a multi-year evaluation work programme to measure impacts of new initiatives across the attendance action plan.

How will the proposal be monitored, evaluated, and reviewed?

47. The extent to which schools comply with the requirement is currently being developed. The Ministry is working with ERO to investigate how the two agencies can provide assurance that boards are complying with the new proposed requirements for having an AMP and responding to it effectively. Should a school refuse to have a plan or not action its plan, then the Ministry would have strong grounds for using the intervention framework already set out in section 171 of the Act.
48. While this work is developing now, implementation of the AMPs could be monitored through ERO's Board Assurance Statement, which collects information on how schools are meeting their legal obligations as well as during EROs regular review visits to schools. Regional Ministry staff will also play a monitoring role as well as enforcement if needed.

Annex One: - Proposed Sections 137A-D

Attendance management

137A Attendance management plan

(1)

A board must have an attendance management plan for its school.

(2)

The attendance management plan must—

(a)

set out a strategy and a process for the school to identify and respond to student absences, for the purpose of returning students to attendance (as required under section 36); and

(b)

comply with any regulations made under section 638 relating to the content of attendance management plans.

137B Preparing attendance management plan

In preparing an attendance management plan, a board must have regard to any guidelines on the management of school attendance issued by the Secretary.

137C Review of attendance management plan

(1)

A board must review its attendance management plan in accordance with regulations made under section 638.

(2)

Following the review, the board must—

(a)

readopt the plan; or

(b)

adopt a new or amended plan.

137D Attendance management plan to be on Internet site

A board must ensure that its attendance management plan is available to the public on an Internet site maintained by or on behalf of the board.

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