



14 MAR 2016

Gianfranco Favero

fyi-request-3526-6738ce0b@requests.fyi.org.nz

Dear Mr Favero

Thank you for your letter of 12 January to the Ministry of Education requesting the following information:

I am asking for an overview of all complaints the Ministry received against the 'Kids Cove early learning centre Newmarket', Auckland over the last 10 years (2005-2015) and also a list of all investigations the Ministry undertook in regards to this childcare centre within that period, regardless of whether it was an outcome of a complaint or not.

Please provide for each complaint or investigation

- *the nature of the complaint*
- *the outcome of the complaint*
- *any actions the ministry took as a result of the complaint or investigation*
- *whether an investigation was undertaken and if so the final report of that investigation.*

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

Parents and caregivers are encouraged to raise any matters of concern with their child's early childhood education (ECE) centre, kindergarten, home-based service, playcentre or kōhanga reo. The vast majority of concerns are resolved this way. Where concerns are not resolved, parents and care-givers are encouraged to raise them with the Ministry of Education. We assess them, and investigate when there is clear evidence of a service not taking adequate action.

We investigate complaints in various ways, including talking to management, visiting the service or conducting audits. This leads to a range of actions to resolve issues, such as placing a service on a provisional licence, providing Strengthening Early Learning Opportunities (SELO) support, performing follow-up audits to check controls, and developing action plans in consultation with the service.

The Ministry has received two complaints about the Kids Cove Early Learning Centre in Newmarket, Auckland, since the Centre opened on 4 June 2012. Both of these complaints were received during 2015.

The Ministry also undertook an audit investigation of the Centre's funding in 2014 as part of standard audit processes. This audit was not as the result of a complaint.

The investigations are summarised below, as provided in s16(1)(e) of the Act.

OIA:977748

National office, Mātauranga House, 33 Bowen Street, Wellington 6011

PO Box 1666, Wellington 6140. Phone: +64 4 463 8000 Fax: +64 4 463 8001

Summary of complaint 1

In June 2015, a parent complained to the Ministry that photographs of her child, who no longer attended the Centre, were still on display in posters at the Centre. The parent had asked the Centre to discontinue promotion and advertising material which included photos of her child. The Centre management replied that they were not using the photos in any new materials, but that, because of the costs of producing the posters, the Centre intended to use the existing photos for up to eight years.

The complainant told the Ministry that, although she had signed a permission slip for the photos to be used by the Centre, she had not been made aware of the extent and open ended nature of how the photos were to be used, and that she had complained to the Privacy Commissioner.

The Ministry reviewed all correspondence provided by the complainant. The Ministry found no breach of early childhood regulations, and considered that any privacy issue was being adequately addressed through the Office of the Privacy Commissioner.

The Ministry contacted the Centre in July 2015 and recommended that a documented timeframe be added to future permission slips so that parents could make a more informed choice. The Centre agreed to do this, and the parent was notified of the outcome.

Summary of complaint 2

In December 2015, the parents of a child who had been injured at the Centre and who were dissatisfied with the Centre's response to their formal complaint, emailed the Ministry asking for an investigation.

Ministry staff reviewed the documentation provided by the parents and the Centre, met with Centre management and reviewed the Centre's policies and processes on preventing and responding to incidents.

The Ministry found that Centre management had appropriate policies and procedures in place, including a discipline policy to deal with any failure of staff to follow appropriate procedures.

With the assistance of the Ministry, Centre management completed the review of policies and procedures which had already begun and strengthened internal processes. The Ministry undertook to monitor compliance with the revised processes over a three month period.

The Ministry notified the parents of the outcome from the investigation.

The Ministry is currently providing professional development to the Centre through the SELO programme to ensure an in-depth review of policies and processes, including hazard identification and management and response to incidents.

Summary of audit investigation

The Ministry undertook a funding claim audit of the Centre in July 2014. This audit took place as part of the Ministry's standard auditing processes; the Ministry periodically conducts audits of early learning centres against their regular funding claims. There had been no complaint in this case.

The audit found that the centre had been slightly overfunded because one child's frequent absences had not been taken into account in the centre's funding claim for the period October to January 2014. An adjustment was made to the next funding payment to the centre to resolve the matter.

I hope you have found this information useful.

You have the right to ask an Ombudsman to review this decision. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Katrina Casey
Deputy Secretary
Sector Enablement and Support