



IHC Submission
He taonga te tamaiti: Every child a taonga -
Strategic plan for early learning 2019 - 2029

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1. Key points and recommendations

Thank you for the opportunity to comment on *He taonga te tamaiti: Every child a taonga – Strategic plan for early learning 2019-29*.

IHC supports the belief underpinning the draft plan; that every child is a precious taonga, born with inherent potential for growth and development and with enduring connections to their ancestors and heritage.

For this belief to hold for children with disabilities the early learning strategy must be designed to be inclusive, providing for reasonable accommodations and learning supports¹.

We are concerned that the current draft of the plan will not create an inclusive early learning system because it does not establish the reasonable accommodations necessary to ensure children with disabilities enjoy early childhood education and care on an equal basis with their non-disabled peers. In addition, *He taonga te tamaiti* needs to be more clearly and transparently aligned with the Disability and Learning Support Action Plan.

IHC endorses the submission and recommendations from CCS Disability Action, that the Plan needs to:

1. acknowledge the discrimination and exclusion disabled children and their families can face in accessing early childhood education alongside a commitment to eliminate this;
2. acknowledge the current issues around waitlists for support and caps (official and unofficial) on the allocation of support alongside a commitment to eliminate these;
3. show evidence that it has considered the work of “A Good Start in Life”;
4. state that disabled children have the right to attend and participate in early childhood education on an equal basis with others, including the right to choose inclusive early childhood education options;
5. include the New Zealand Disability Strategy;
6. guarantee that, as a bare minimum, families with disabled children will have enough learning support to effectively use the full 20 hours of free ECE; and
7. commit to collect data on the early childhood education participation rates of disabled children.

In addition, IHC also makes specific recommendations aimed at ensuring the Plan:

- i. includes transparent links to the Child and Youth Wellbeing Strategy (CYWBS), especially those focus areas related to early childhood and/or disability;

¹ See Articles 1, 2, 3, 4, 5, 7, 24 and 31 of the United Nations Convention on the Rights of Persons with Disabilities.

- ii. is more clearly and transparently aligned with the Disability and Learning Support Action Plan
- iii. protects and advances the rights of children with disabilities, particularly their rights to non-discrimination and inclusive education under the United Nations Conventions on the Rights of the Child (UNCROC) and on the Rights of Persons with Disabilities (UNCRPD);
- iv. identifies, within each goal, the reasonable accommodations that ensure children with disabilities have equitable access to and outcomes from early childhood care and education.

We recommend:

8. the links between the Early Learning Strategy and the CYWBS are made clear in *He taonga te tamaiti*;
9. the goals of *He taonga te tamaiti* and the priority areas and actions in the Disability and Learning Support Action Plan are cross referenced with each other to ensure they are aligned in intent and in practice;
10. the Child Impact Assessment Tool developed by the Ministry of Social Development be used to assess the consistency of *He taonga te tamaiti* with UNCROC;
11. *He taonga te tamaiti* be assessed against children's rights under the UNCRPD, especially children's rights to non-discrimination and inclusive education.
12. an additional objective under Goal 1 - "develop advice on creating inclusive early childhood care and education settings, set standards on inclusivity and monitor for inclusion";
13. an additional action point under Goal 2 and/or Goal 4 to ensure more integrated planning and service delivery, especially across the Ministries of Health and Education;
14. training about disability and inclusion is part of initial teacher training as well as on-going professional learning and development;
15. Goal 4 discuss planning for inclusion in relation to both provision of services and transition into schooling.

2. About IHC

IHC advocates for the rights, inclusion and welfare of all people with intellectual disabilities and supports them to live satisfying lives in the community.

IHC was founded in 1949 by a group of parents who wanted equal treatment from the education, health and social systems for their children with intellectual disability. Today IHC is still striving for these same outcomes.

We support people with intellectual disability to lead satisfying lives and have a genuine place in the community as citizens. We believe that the foundations for inclusion of people with intellectual disability in society are built on integrated support to families of children with intellectual disability.

Underpinning our work is the principle that intellectually disabled children and young people are part of the community of all children and young people – they are entitled

to full enjoyment of their human rights and fundamental freedoms on an equal basis with other children and young people².

3. IHC's overall response

3.1 Links to the Child Wellbeing Strategy

IHC recommends stronger and more transparent links between *He taonga te tamaiti* and the Child and Youth Wellbeing Strategy (CYWBS).

The CYWBS requires Government to set and report on its actions to improve the wellbeing of all children and young people, that includes young children with disabilities.

Although the CYWBS is still under development, indications are that it will include a priority focus on children's early years³. Of the six priority areas Cabinet has agreed to progress, two relate to early years:

- Potential focus area 14 - Children experience best development in their "first 1000 days", safe and positive pregnancy, birth and responsive parenting (conception to around 2)
- Potential focus area 15 - Children are thriving socially, emotionally and developmentally in the early years (around 2 to 6)⁴

Potential focus area 11 is also directly relevant to *He taonga te tamaiti* and children with disabilities, it reads:

Disabled children and young people have improved opportunities and outcomes:

- *Disabled children and young people:*
 - *Are actively included as full and equal participants in every aspect of community and society*
 - *Have agency and voice in their wellbeing and choices*
 - *Have access to quality support and services to enable full and equitable participation*
- *Neurodisability and neurodiversity are recognised, with children and young people receiving quality services and support*

IHC notes that Cabinet has been advised that the child wellbeing work overlaps with the development of the new Early Learning Strategy⁵. We recommend the links between the Early Learning Strategy and the CYWBS are made clear in *He taonga te tamaiti* also. More transparent links will help ensure consistency between the two

² United Nations Convention on the Rights of Persons with Disabilities and United Nations Convention on the Rights of the Child

³ See Cabinet Paper: Child Wellbeing Strategy; Work Programme and Budget implications (September 2018) <https://dpmc.govt.nz/sites/default/files/2018-11/cws-work-programme-budget-implications-sept-2018.pdf>

⁴ <https://dpmc.govt.nz/publications/proposed-outcomes-framework-and-potential-focus-areas>

⁵ See Cabinet Paper: Child Wellbeing Strategy; Work Programme and Budget implications (September 2018), paragraph 41 <https://dpmc.govt.nz/sites/default/files/2018-11/cws-work-programme-budget-implications-sept-2018.pdf>

strategies, in terms of both content and overall approach. It will also help make clear how *He taonga te tamaiti* contributes to New Zealand meeting its international children's rights obligations, which is part of the intent of the CYWBS.

3.2 Interface with the Disability and Learning Support Action Plan

Although reference is made to the Disability and Learning Support Action Plan in discussion of Goal 2, it is far from clear how the Disability and Learning Support Action Plan and *He taonga te tamaiti* will work together to ensure the entire education system is inclusive and responsive; that every child with disability is supported to be successful throughout the education system, from early learning services to tertiary.

IHC recommends the goals of *He taonga te tamaiti* and the priority areas and actions in the Disability and Learning Support Action Plan are cross referenced with each other to ensure they are aligned in intent and in practice.

3.3 Promoting inclusion of children with disabilities

He taonga te tamaiti will play a critical role in laying the foundation for inclusion for children with disabilities, as disabled people, right from the start of their lives.

The rights of children with disabilities in New Zealand are promoted and protected by two international Conventions – the UN Convention on the Rights of the Child (UNCROC) and also the UN Convention on the Rights of Persons with a Disability (UNCRPD) – both of which underpin the CYWBS. Children's rights under UNCROC and UNCRPD must be understood and applied with reference to Te Tiriti o Waitangi as New Zealand's founding document.

Government agencies are obliged to implement the Conventions by protecting and promoting children's rights. It follows that *He taonga te tamaiti* should promote and protect the rights of children with disabilities under UNCROC and UNCRPD. The combination of rights under both Conventions is helpful and supports a move beyond normative ideas of childhood and deficit approaches to disabled children's childhoods⁶.

Based on the general principles of UNCROC the fundamental questions to be asked of *He taonga te tamaiti* are:

- Will *He taonga te tamaiti* result in children with disability enjoying their education rights on an equal basis with non-disabled children or will it create discrimination? (Article 2, UNCROC)
- Are the best interests of the disabled child a primary consideration? (Article 3, UNCROC)
- Will *He taonga te tamaiti* ensure to the maximum extent possible the development of the disabled child? (Article 6, UNCROC)
- How does *He taonga te tamaiti* assure the right of the disabled child to express his or her views and have them taken into account? (Article 12, UNCROC).

⁶ See, for example, writings on disabled children's childhood studies: Tillie Curran & Katherine Runswick-Cole (2014) Disabled children's childhood studies: a distinct approach?, *Disability & Society*, 29:10, 1617-1630, DOI: 10.1080/09687599.2014.966187

The Ministry of Social Development has developed a Child Impact Assessment Tool developed to assist organisations assess the consistency of policy initiatives with UNCROC. The Child Impact Assessment Tool and Guide are available here: <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/resources/child-impact-assessment.html>

Under the UNCRPD New Zealand is required to take all the necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children⁷.

IHC recommends that

- the Child Impact Assessment Tool developed by the Ministry of Social Development be used to assess the consistency of *He taonga te tamaiti* with UNCROC.
- *He taonga te tamaiti* be assessed against children's rights under the UNCRPD, especially children's rights to non-discrimination and inclusive education. Please see Articles 1, 2, 3, 4, 5, 7 and 24 of the UNCRPD.

3.4 Reasonable accommodations within goals

IHC would like to see more work done within each the draft goals of *He Taonga te tamaiti* to strongly identify and articulate the reasonable accommodations required to ensure children with disabilities have equitable access to and outcomes from early childhood care and education.

Goal 1

IHC recommends an additional objective under Goal 1 - "develop advice on creating inclusive early childhood care and education settings, set standards on inclusivity and monitor for inclusion."

Goal 2 and Goal 4

Good Start in Life (GSIL) is an action under the Disability Strategy that aims to develop policy options to improve government supports for parents, family and whānau of disabled children aged zero to eight⁸. GSIL has identified three priority areas – developing a common way of working together with families and whānau across government and non-government agencies; capability building for providers and for family and whānau; and more integrated service delivery.

Access to integrated, timely support continues to be one of the biggest challenges facing young children with disabilities and their families and whānau. IHC is extremely concerned that, despite extra resourcing, children and their families and whānau still face lengthy waits for early intervention services including communication and behaviour support. We also remain concerned about the continued lack of co-ordination and integration of service delivery across the Ministries of Health and Education despite the clear intent of improved cross government integration articulated within the draft Disability and Learning Support Action Plan and Mana Whaikaha (the Ministry of Health-led MidCentral prototype for Disability System Transformation.)

⁷ Article 7 UNCRPD.

⁸ <https://www.odi.govt.nz/nz-disability-strategy/outcome-7-choice-and-control/action/>

We recommend an additional action point under Goal 2 and/or Goal 4 to ensure more integrated planning and service delivery, especially across the Ministries of Health and Education.

Goal 3

The lack of reference to training on disability and inclusion within the current draft of Goal 3 is disappointing and needs to be rectified. We strongly recommend that training about disability and inclusion is part of initial teacher training as well as on-going professional learning and development.

Goal 4

To meet the goal of being valued, sufficient and diverse, the provision of early childhood education and care must be inclusive. However, there is not any mention in Goal 4 of planning for equitable access to and outcomes from early childhood care and education for children with disabilities and their families. In addition to our recommendation above that Goal 4 ensure more integrated service delivery, especially across the Ministries of Health and Education, we strongly recommend Goal 4 discuss planning for inclusion, in relation to both provision of services and transition into schooling, and that this is done in accordance with the Learning Support Delivery Model and the Disability and Learning Support Action Plan (also currently in draft form).

Conclusion

Thank you again for the opportunity to comment on *He taonga te tamaiti*, and for accepting this late submission.

We would be very happy to discuss any of the above with you and/or provide further information if needed.

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