

17 Paengawhāwhā 2025

File Ref: OIA 50381

[REDACTED]

Tēnā koe [REDACTED]

Official Information Act request

Thank you for your information request dated 7 Poutūterangi 2025. We considered your request under the Official Information Act 1982 (**Act**). On 4 Paengawhāwhā 2025 we notified you of an extension to the timeframe for response to enable time for consultation. Your questions and our responses are set out below.

"I have seen the announcement regarding Te Pou Matakana - Whānau Ora Commissioning Agency loss of contract today via Radio NZ website. I am unable to find a media release or update on your Whānau Ora pages or news pages. Can you please provide:

1. *"A copy of your media release if you have one"*

A copy of the website news update Te Puni Kōkiri issued regarding the next steps for Whānau Ora is available here: [Next Steps for Whānau Ora](#).

2. *"The names of the successful bidders for North Island, South Island and Pacific"*

Te Puni Kōkiri is still in an active negotiation process with incoming commissioning agencies. It is therefore not able to make such information available until it signs outcome agreements with the incoming commissioning agencies. I have decided to withhold this information under section 9(2)(j) of the Act to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations.

Te Puni Kōkiri is currently progressing negotiations for Whānau Ora Commissioning Services, which are commercial negotiations that involve "...at least two parties at arm's length each seeking to obtain a result favourable to itself and a belief by both that this is possible..." and that are genuine, in that there is "...at least the possibility of give and take between the parties involved" (Ombudsman *A guide to section 9(2)(j) of the OIA and section 7(2)(i) of the LGOIMA* at 5–6). Much of the information requested forms part of the contract negotiations following the procurement process and is relevant to the commercial negotiations. The release of information related to the procurement process would prejudice the negotiations.

In relation to information withheld under section 9 of the Act, I am of the opinion that there are no countervailing considerations that make it desirable, in the public interest, to make the information available at this time. I also note that this information will soon be publicly available, therefore section 18(d) of the Act could also apply to this part of your request.

3. *“A copy of the advice provided to the Minister for Whānau Ora on the procurement outcomes - I realise commercially sensitive information must be redacted.”*

Advice to the Minister for Whānau Ora on the Whānau Ora procurement is still under active consideration. Further, and as noted above, Te Puni Kōkiri is still in a negotiation process with incoming commissioning agencies. I have decided to withhold the information under this part of your request under the Act on the following grounds:

- Section 9(2)(a) - to protect the privacy of natural persons

The information requested includes Te Puni Kōkiri kaimahi contact details.

- Section 9(2)(b)(ii) - to protect information where the making available of the information would be likely unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information

Participants in the procurement process provided commercially sensitive information and release of information could prejudice their commercial position if disclosed. It is also in the public interest that third parties can trust that the commercially sensitive information supplied would be protected. The release of such information would, in my view, prejudice the commercial position of the third parties who supplied the information.

- Section 9(2)(f)(iv) - to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials;

The Minister for Whānau Ora is actively considering advice that requires confidentiality while the decision-making process is ongoing. I appreciate that this ground may not apply at a future date once decisions relevant to the procurement process are completed.

- Section 9(2)(g)(i) - to maintain the effective conduct of public affairs through the free and frank expressions of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees or any public service agency or organisation in the course of their duty; and

The information requested includes free and frank advice to Ministers of the Crown, officers and Te Puni Kōkiri kaimahi in the course of their duty.

- Section 9(2)(h) - to maintain legal professional privilege

The information requested includes legal opinions and advice from legal advisors throughout the procurement process, including the evaluation stage.

- Section 9(2)(j) - to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations. Further analysis of this withholding ground appears above.

In relation to information that has been withheld under section 9 of the Act, I am of the opinion that there are no countervailing considerations that make it desirable, in the public interest, to make the information available at this time.

4. *“Number of staff Te Puni Kōkiri has working on Whānau Ora by National Office and Regional Offices”*

As at 27 Poutūterangi 2025, 28 kaimahi (by headcount, not FTE) were engaged on Whānau Ora-specific mahi at Te Puni Kōkiri. These kaimahi sit within the Whānau Ora delivery team and the Whānau Ora Expansion Project based in National Office. Outside these two teams there are also other kaimahi across Te Puni Kōkiri who work on Whānau Ora-related matters but whose role is not primarily Whānau Ora, for example kaimahi in regional offices.

5. *“Details of departmental budget allocated to the procurement process in FY 23-24 and 24/25, and the transitioning process to establish new contracts”*

As at Paengawhāwhā 2025 Departmental Operating Expenditure spending in 2024/25 by Te Puni Kōkiri on Whānau Ora procurement processes totalled approximately \$796,000 (excluding GST). For completeness, please note that there is no separate Departmental budget for staffing costs and certain professional fees associated with the procurement and such costs fall under overall Departmental budgets. No specific Departmental budget related to Whānau Ora procurement work in 2023/24.

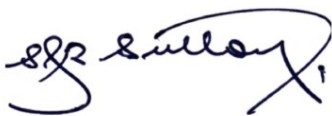
I trust my response satisfies your request.

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

Please note that Te Puni Kōkiri publishes some of its OIA responses on its website, after the response is sent to the requester. The responses published are those that are considered to have a high level of public interest. We will not publish your name, address or contact details.

If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact us at uia@tpk.govt.nz.

Nāku noa, nā

A handwritten signature in dark ink, appearing to read 'Steven Sutton', with a stylized flourish at the end.

Steven Sutton
Hautū, Te Puni Tapatahi | Deputy Secretary, Governance