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Te Pūkenga

1 March 2024

s 9(2)(a)

By email: s 9(2)(a)

Tēnā koe s 9(2)(a)

Request under the Official Information Act 1982

Thank you for your emailed letter of 25 January 2024, requesting the following information from Te Pūkenga – New Zealand Institute of Skills and Technology (Te Pūkenga):

- *The report(s) provided by Te Pūkenga in response to the Minister of Tertiary Education and Skills, Hon Penny Simmonds', Letter of Expectations (linked here: Letter of Expections for Te Pūkenga.pdf (beehive.govt.nz)). In particular, the report on the status of Te Pūkenga's current work plan in light of the contents of the letter.*
- *Any other correspondence between the Minister of Tertiary Education and Skills and Te Pūkenga related to the report(s).*

On 21 February 2024 we wrote to you advising of an extension to the timeframe for making a decision on your request to 1 March 2024. This letter provides a formal decision on your request under the Official Information Act 1982 (OIA).

Interpretation

We have interpreted your request to include the time period between Te Pūkenga receipt of the *Letter of Expectations* and the date of your request, and to be in relation to any report or other correspondence, we provided the Minister for Tertiary Education and Skills in response to the sentence within the *Letter of Expectations* that states:

> "I would like Te Pūkenga to report back to me by 15 December 2023 on the status of its current work plan in light of the contents of this letter."

The decision

The following four documents, that were emailed to Hon Penny Simmonds' office, fall within scope of your request and are attached as **Appendix One**.

1. Letter dated 8 December 2023 titled:
   2023 12 08 Response to Te Pūkenga LoE

2. *Letter dated 15 December 2023 titled:*
   Te Pūkenga – Letter to Minister from Deputy Chair – 15 Dec 2023

3. Letter dated 23 January 2024 titled:
   240123_Letter to Minister

4. Disestablishment update for Minister dated 23 January 2024 titled:
   240123_Briefing for Minister

For the sake of completeness also attached within **Appendix One** is the following document that was emailed to the Minister's office:

5. Communication with staff, ākonga and employers, emailed 6 December 2023, titled:
   231206_Messages re LoE

We have decided to withhold certain information from two of the documents under the following sections of the OIA:

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

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

- 9(2)(ba)(i) to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied

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

- 9(2)(i) to enable a Minister of the Crown or any public service agency or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities

We do not believe the need to withhold this information is outweighed by the public interest in its release at this time.

You have the right to make a complaint to the Ombudsman under section 28(3) of the OIA if you are not happy with this response. Information about how to do this is available at www.ombudsman.parliament.nz or by calling 0800 802 602.

Ngā mihi

Gus Gilmore
Tumuaki Taupua | Chief Executive