



**Te Pūkenga**

Level 2, Wintec House  
Cnr Anglesea and Nisbet St.  
Hamilton 3204

0800 86 22 84  
info@tepūkenga.ac.nz  
tepūkenga.ac.nz

12 June 2025



Copied to: [redacted]  
Investigator, Office of the Ombudsman



Tēnā koe [redacted]

### **Request under the Official Information Act 1982 – new decision on previous OIA request**

We refer to your media request for information dated 24 April 2025 and resulting complaint to the Office of the Ombudsman regarding Te Pūkenga decision on the following part of your request:

*Can you send me the financial review referred to here: "Under Section 332 of the **Education and Training Act 2020**, TEC required Te Pūkenga to engage specialist consultants to review the financial performance of ITP divisions and explore opportunities to enhance their sustainable viability."*

#### Previous decision

On 24 April, in response to your request the Ara internal communications team advised that the financial review reports were not publicly available. They advised that in response to previous media outlet requests for them, they had been withheld in full with reliance on the following sections of the Official Information Act 1982 (OIA):

- 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)(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*
- 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.*

## Consideration

It has always been our intention to consider the financial reports (also known as the Regional Institutes of Technology and Polytechnics (ITP) Viability (RIV) programme financial improvement plan reports) for proactive release on our website, at the appropriate time in the future. We have taken the opportunity provided by the Ombudsman to reconsider our position on your request in conjunction with reviewing the timing of publishing the individual reports.

We consider it appropriate to reconsider our decision to withhold the financial reports in full, by considering each of them for publication. In doing so, we have considered the current environment, the current level of public interest in the vocational education sector and Government decisions that are yet to take place. We have taken into account the time that has passed, the consultations carried out by several business divisions and those yet to be carried out, the information that is already in the public domain, and the stage we are at with Te Pūkenga disestablishment.

We are currently reconsidering the information within each individual report for release, noting it will likely still be appropriate to withhold certain information from within the reports. We are engaging with relevant personnel at each business division who are key to advising what stage any change proposals are at and whether it is appropriate to withhold any information from within the reports.

## New decision

With reference to section 18(d) of the OIA – *the information requested is or will soon be publicly available* – we provide you with a new decision in response to this part of your original media request.

We can advise that the reports will soon be publicly available, and we will reconnect with you to provide the weblink straight to them once they have been published on our website.

## Conclusion

We consider that the public interest is satisfied with this new decision on your request, and the proactive release of the reports (with appropriate information withheld), which were previously withheld in full.

If you wish to discuss this response with us, please feel free to contact [REDACTED] Government Relations Director, in the first instance at [OIA@tepukenga.ac.nz](mailto:OIA@tepukenga.ac.nz).

You have the right to engage back with the Ombudsman under section 28(3) of the OIA if you are not happy with this new decision on your request.

Ngā mihi



Gus Gilmore  
**Tumuaki Taupua** | Chief Executive