



Briefing Note: Te Ahu o te Reo Māori and Te Kawa Matakura Procurement of Provider Services

To:	Hon Kelvin Davis, Associate Minister of Education – (Māori Education)		
Cc:	Hon Chris Hipkins, Minister of Education		
Date:	11 June 2021	Priority:	High
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Purpose of Report

The purpose of this paper is to provide you with information about the procurement processes used to contract provider services for Te Ahu o te Reo Māori and Te Kawa Matakura. This responds to your request for assurance over the processes.

We recommend that you:

- **Note** the information about procuring providers for Te Ahu o te Reo Māori and Te Kawa Matakura programmes
- **Agree** that this Briefing will be proactively released.

Summary

1. In 2018, a group of mātanga Māori provided advice directly to you on how these two kaupapa, Te Ahu o te Reo Māori and Te Kawa Matakura, can be best achieved to support the Government's commitment to actively promote and protect te reo Māori in and through education. The recommendation report *He Puna Whakaaro Mō Te Ahu o te Reo Māori me Te Kawa Matakura* provided the basis for prototype design and testing.
2. For the prototype design and testing stages of these kaupapa, providers were direct sourced as each kaupapa were in their inception phase. The Ministry did not consider an open tender to source providers for prototyping.

3. While Te Kawa Matakura is still in the testing stage, Te Ahu o te Reo Māori has moved into national delivery. An open tender process has occurred to secure providers with the capability and capacity to deliver across the 10 Ministry regions. We have awarded contracts to successful providers and an announcement was made on 26 May 2021.

Proactive Release

- a **agree** that the Ministry of Education release this briefing in full once it has been considered by you.

Agree / Disagree.



Ellen MacGregor-Reid
Early Learning and Student Achievement



Hon Kelvin Davis
Associate Minister of Education

11/06/2021

23/6/2021

Background

1. Te reo Māori is an official language of Aotearoa New Zealand and is part of our national identity. As a Treaty partner, the Government has an obligation to protect and promote te reo Māori and mātauranga Māori as taonga guaranteed under Te Tiriti o Waitangi.
2. The education system is a significant lever in both normalising and growing proficiency in the Māori language, and for ensuring Māori learners can succeed in education as Māori.
3. To ensure these commitments are achieved, you convened a gathering of mātanga Māori (referred to as the 'Think-Tank') on 23 July and 30-31 September 2018. The role of these mātanga Māori was to bring cultural intellect, creative thinking, and educational knowledge to deliberate on how Te Ahu o te Reo Māori and Te Kawa Matakura could be successfully implemented into our education system. Mātanga Māori provided 14 recommendations in *He Puna Whakaaro Mō Te Ahu o te Reo Māori me Te Kawa Matakura* on how best to achieve the objectives of these two kaupapa.
4. Te Kawa Matakura seeks to provide a pathway for rangatahi Māori who demonstrate a passion for mātauranga ā-iwi and mātauranga Māori, to be groomed as part of succession planning for iwi and te ao Māori. Te Kawa Matakura is based on the notion of *te iti mata tuhi māreikura* – developing excellent Māori advocates and leaders.
5. Te Ahu o te Reo Māori seeks to grow and strengthen an early learning, schooling and kura workforce that can integrate te reo Māori into the learning of all ākonga in Aotearoa New Zealand. This kaupapa is one of the actions we are taking that gives practical effect to our expectations for quality te reo Māori learning and teaching across the education system and our expectation te reo Māori will be used correctly everyday.

Procurement of Services – Te Kawa Matakura and Te Ahu o te Reo Māori prototype design and testing

2019 – 2021: Selective procurement by direct source

6. As a result of the recommendations from the Mātanga Māori, proof-of-concept prototypes were necessary to demonstrate the viability of Te Kawa Matakura and Te Ahu o te Reo Māori. Both kaupapa represented new business for the Ministry. and we needed to build an evidence base to inform future investment decisions.
7. Prototype design and testing work was directly sourced for both kaupapa. Proof-of-concept testing happened on a small scale, involving those who were familiar with the work and who were comfortable in the testing environments. Mātanga Māori recommended a pilot be delivered to inform the establishment of Te Kawa Matakura and the pilot be hosted with Te Taitokerau. In 2019, Ngātiwai Education Trust began trialling Te Kawa Matakura in Te Taitokerau.
8. Through our internal business processes, an exemption from open tender was requested and is documented in the approved Te Kawa Matakura ki Te Taitokerau: Design and Development, Implementation and Review procurement plan [MOE01225]. The procurement exemption fits under both the opt-out procurement and valid exemptions sections of the Government Rules of Sourcing:
 - a. Valid exemption, Rule 15, paragraph 9:
 - i. (i) technical reasons

ii. paragraph 9 (e) Prototype.

9. The prototype testing of Te Kawa Matakura, in Tai Tokerau, is expected to be completed in December 2022 and, at that time, will be considered for expansion to other regions. We are discussing this possible expansion with the three Wānanga.
10. Te Ahu o te Reo Māori was tested in four regions during 2019 and 2020. The four regions were proposed based on projected Māori population increase using Te Rāngai Kāhui Ako ā-lwi data and METIS 1151017 refers. Over the two year period, three procurement plans were completed and exemption requests to direct source were approved for each:

Procurement Number	Procurement Title
MOE00852	Te Ahu o te Reo Māori: Testing in 2019
MOE01063	Te Ahu o te Reo Māori: Testing 2019/2020 Part Two: Implementation (including Evaluation)
MOE06792	Te Ahu o te Reo Māori: Testing 2019/2020 Part Three: Implementation (second iteration of testing)

11. The exemption fits under both the opt-out procurement and valid exemptions sections of the Government Rules of Sourcing:
- a. Opt-out procurements, 3. (k) Public Services, Educational Services
 - b. Valid exemption, Rule 15, paragraph 9:
 - i. (c) Only one supplier (i) technical reasons and (ii) intellectual property rights
 - ii. paragraph 9 (e) Prototype.
12. The review of the prototype testing found that the intended outcomes of Te Ahu o te Reo Māori were met and the kaupapa was well implemented. The report is available at <https://www.educationcounts.govt.nz/publications/91416/105966/evaluation-of-te-ahu-o-te-reo-maori>.

Procurement of Services – Te Ahu o te Reo Māori national delivery

2021 – 2024: Open tender

13. Drawing on the results from the review and through Budget 2020 funding, we were in a position to move from prototype testing to national delivery. A minimum of 1,000 participants per calendar year, from each Ministry region, will be catered for over the next four years. To meet the required level of provider capacity and capability, provider services were procured through an open tender process.
14. Te Ahu o te Reo Māori National Delivery Request for Proposal (RFP) was carried out from October 2020 to January 2021. Our internal business processes considered the principles of Te Tiriti o Waitangi throughout the thinking, design and implementation of the RFP. Robust procurement processes were followed that were compliant with NZ Government procurement rules.
15. On 19 October 2020, the RFP and associated documents were released on both Government Electronic Tender System (GETS) and Kauwhata Reo. The release on dual platforms ensured we advertised widely to a range of suppliers and provided

accessibility to all RFP documents for our supplier market. While the RFP was open, we used both platforms to provide update notifications and reminders.

16. During the week of 19 October 2020, we promoted the RFP to Ministry audiences, media outlets and direct contacts with our existing Māori education business partners to broaden audience reach.
17. Following the RFP release, we received 48 questions between 20 October and 9 November 2020, of which 87.5% (42/48) were business related as opposed to procurement related. We worked with Procurement to respond to questions from interested providers. Transparent and accurate responses to questions were provided on Kauwhata Reo within two working days of questions being submitted. Fourteen responses were anonymised and none were commercially in confidence.
18. We received notification from the Secretary for Education to extend the closing date from noon 30 November 2020 to noon 4 December 2020. This allowed parties that expressed an interest to submit innovative and quality solutions in response to services required. The extension was communicated through direct emails and social media, and all related online content was refreshed to reflect these messages. When the RFP closed, we received 21 proposals from 20 providers.
19. As anticipated, given the specialised and narrow field that promotes the advancement and cultural value of te reo Māori, it was inevitable that the four evaluation panel members and chairperson were well known, and with working relationships with organisations or individuals that submitted proposals. The procurement team, therefore, took both practical and pragmatic measures to ensure the Government Procurement Principles were maintained. This included:
 - All panel members received Evaluation Guidelines with advice on how to manage conflicts of interest
 - All panel members completed and signed Conflict of Interest and Confidentiality Agreement forms in advance of the evaluation of proposals and when moderation commenced.
20. There were seven conflict of interest declarations in relation to the evaluation panels' work, including potential, perceived and actual conflicts around tribal affiliations, familial and working relationships to Ministry staff, relationships within the environment associated with te reo Māori, and involvement in the prototype of Te Ahu o te Reo Māori. These were managed through a variety of actions as advised by the procurement team.
21. Three conflict of interest declarations were made by respondents submitting proposals. These include familial relationships with Ministry staff, and dual roles in the education sector and iwi organisation. Conflict management plans are in place to manage the conflicts of familial relationships and are being actioned accordingly. The dual roles conflict is noted as a perceived conflict.
22. In January 2021, the evaluation report was drafted. Panel recommendations were accepted by the Secretary for Education on 10 February 2021. The panel recommended 14 providers to progress to contract negotiation, because they clearly demonstrated their thought leadership in designing unique and innovative learning solutions, and evidenced their proven experience and knowledge in language learning and revitalisation. Refer to METIS 1249982 for recommended provider profiles.

23. The Ministry contacted all providers by phone to inform them of the outcome of the RFP process and followed this up with an email confirming the outcome and information about next steps. Over the past three months, we have negotiated contracts with recommended providers.
24. In coordination with your office, the successful providers for national delivery were announced on the Ministry's external website on 26 May 2021 and is available to view at <https://www.education.govt.nz/news/te-ahu-o-te-reo-maori-providers-announced/>. GETS has also published the notification that contracts have been awarded and is available to view at <https://www.gets.govt.nz/MEDU/ExternalTenderDetails.htm?id=23469551>.
25. We expect national delivery of Te Ahu o te Reo Māori to commence in Term 3 of this year.