



15 September 2021

Tēnā koe [REDACTED]

Thank you for your email of 14 July 2021 to the Ministry of Education requesting the following information:

- a) *All drafts of the attached report [METIS 1260594] and letters*
- b) *All documents and correspondence that informed the attached report including its recommendation that the application be declined*
- c) *All emails and correspondence held by Ministry of Education officials related to the attached report and letters.*

Your request has been considered under the Official Information Act 1982 (the Act).

We undertook a thorough search through our records and were able to identify 35 emails, 14 attachments and one document in scope of your request. This includes drafts of the final report and are attached to our response as **Appendix A**. Some information within the documents for release has been withheld under the following sections of the Act:

- section 9(2)(a) of the Act, to protect the privacy of individuals,
- section 9(2)(g)(i) of the Act, to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to employees of any public service agency or organisation in the course of their duty.
- section 9(2)(f)(iv) of the Act, to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.
- section 9(2)(b)(ii) of the Act, to protect information where the making available of the information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information

The information withheld under section 9(2)(f)(iv) of the Act pertains to second application submitted by a separate applicant which was processed alongside the application made by Villa Education Trust.

Additionally, we have identified several documents and pieces of supporting documentation that were submitted by the applicant to bolster Villa Education Trust's application. As allowable under section 16(1)(e) of the Act, the additional documents submitted by the applicant to support their application have been summarised and are attached to our response as **Appendix B**.

It is important to note that, while we have attempted to identify and consider all drafts of the final report as requested, we cannot be sure without undertaking substantial collation and research that all drafts have been identified.

Please note that draft versions are preliminary versions of a final report, and as such the final report is the only version that can be referenced and relied on.

The final report can be found at the following link on the Ministry's website: assets.education.govt.nz/public/Documents/our-work/information-releases/Advice-Seen-by-our-Ministers/June-2021/08.-1260594-Ed-Report-Proposal-to-establish-a-designated-character-school-Mt... Redacted.pdf.

As required under section 9(1) of the Act, I have considered the public interest in releasing the withheld information; I do not consider the public interest considerations favouring the release of this information are sufficient to outweigh the need to withhold it at this time.

Please note, the Ministry now proactively publishes Official Information Act responses on our website. As such, we may publish this response on our website after five working days. Your name and contact details will be removed.

Thank you again for your email. If you have further questions, please feel free to contact our media team in the first instance at media.team@education.govt.nz. If you are unsatisfied with my response, you have the right to ask an Ombudsman to review it. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.