

31 May 2024

B Evans

fyi-request-26717-4276a1c1@requests.fyi.org.nz

Tēnā koe

Your request for official information, reference: HNZ00047611

Thank you for your email on 13 May 2024, asking Health New Zealand | Te Whatu Ora (Health NZ) for information under the Official Information Act 1982 (the Act). Please see outlined below a response to each part of your request.

- 1) *What was the process in commissioning PATHA for the above? Please provide criteria, emails, briefs, meeting minutes etc.*

Health NZ follows the Government's procurement rules that are publicly available here:

www.procurement.govt.nz/procurement/principles-charter-and-rules/government-procurement-rules/.

Organisations were required to submit tenders that demonstrated their ability to meet the requirements outlined in the Request for Proposals attached as **Appendix One**.

Tenders were then assessed based on the evaluation criteria by an evaluation panel that consisted of four members and represented a range of perspectives and expertise. The evaluation criteria and scoring scale can also be found in Appendix One.

The part of your request which asks for emails, briefs, meeting minutes, etc, is refused under sections 9(2)(g)(i) and section 9(2)(b)(ii) of the Act. This is to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between employees of any public service organisation in the course of their duty as the release of this information would be likely to unreasonably prejudice the commercial position of the organisation who supplied it. It is in the public interest that such information continues to be supplied.

- 2) *How has PATHA shown Health New Zealand that they are reputable, evidence-based, and independent of the culture/ideology wars currently raging in the transgender healthcare space?*
- 3) *The Cass Review Final Report gave PATHA's last guidelines the 2nd to lowest score of all guidelines globally (149/600). What is the quality assurance process for reviewing what PATHA produces now to ensure it is accurate, comprehensive, balanced and evidence-based?*

I am refusing to answer these questions under section 18(e) of the Act. This information does not exist, and the Act does not require us to form an opinion where one does not already exist.

- 4) *What are the requirements of the work to be completed by PATHA for the above? e.g.: Systematic review of evidence to date?; Full and transparent methodology and data used in systematic evidence review, to be freely publicly available?;*

The medical, ethical or other standards that the review, guidelines and pathways must adhere to and state comprehensively?

The service specification for this contract includes a literature review. Additionally, the draft guidelines will be reviewed by clinical stakeholders and undergo a sign out process to ensure that contents are clinically and culturally safe.

- 5) *What are the deliverables of the work to be completed by PATHA for the above? e.g: Report to the Minister of Health on the state of 'gender-affirming care' in NZ - using data from around the NZ, split by Region and type and age of care?; trends over-time, concerns?
GP-ready publishable guidelines for evidence-based care for gender-questioning persons including non-medicalised pathways?;
Website-ready explanations of best -practice for gender questioning patients?;
What else?*

The minimum service requirements of the Guidelines state that the Guidelines must:

- include guidance on clinical and cultural best-practice when delivering care to transgender patients
- include guidance for commencing hormone therapy in primary care
- be delivered in a format that is suitable for online publication and distribution via printed copy
- reflect consultation with the below groups, provide guidance on addressing the needs of:
 - a. takatāpui, Māori transgender and non-binary people and their whānau
 - b. MVPFAFF+ people, Pacific transgender, and non-binary people and their whānau
 - c. transgender and non-binary tāngata whaikaha (disabled peoples) and their whānau
 - d. rangatahi or youth and their whānau.

- 6) *What is the cost of this contract with PATHA? Please specify different elements and deliverables and their dates, a copy of the contract and any correspondence about the contract.*

The budget allowed for up to \$200,000 to be spent on the development of the Guidelines, however the contracted amount is \$124,000. The breakdown of the elements and deliverables can be found in **Appendix Two** – Payment and invoicing schedule, however I am refusing to release the cost of each element under section 9(2)(b)(ii) of the Act. I am also refusing to release a copy of the contract and correspondence about the contract under section 9(2)(b)(ii) of the Act. The release of these pieces of information would be likely to unreasonably prejudice the commercial position of the organisation contracted.

- 7) *What are the current "referral pathways"?*

A person's gender-affirmation is highly individual and may include different aspects of gender-affirming care depending on their individual goals. Referral pathways are currently variable and managed by individual districts depending on the availability of, and capacity of, services and clinicians in the area.

How to get in touch

If you have any questions, you can contact us at h.nzOIA@tewhatoru.govt.nz.

If you are not happy with this response, you have the right to make a complaint to the Ombudsman. Information about how to do this is available at www.ombudsman.parliament.nz or by phoning 0800 802 602.

As this information may be of interest to other members of the public, Health NZ may proactively release a copy of this response on our website. All requester data, including your name and contact details, will be removed prior to release.

Nāku iti noa, nā

A handwritten signature in blue ink that reads "D Woodley". The signature is written in a cursive, flowing style.

Deborah Woodley

**Director – Starting Well
National Commissioning**