

# Hon Penny Simmonds

Minister for the Environment  
Minister for Tertiary Education and Skills  
Associate Minister for Social Development and Employment



11 July 2024

Anna Wilson  
[fyi-request-27144-b844d3df@requests.fyi.org.nz](mailto:fyi-request-27144-b844d3df@requests.fyi.org.nz)

Dear Anna

I refer to your request of 5 April 2024, which you refined on the 25<sup>th</sup> of April 2024, requesting the following under the Official Information Act 1982 (the Act):

*All correspondence between Hon Penny Simmonds and her Ministerial staff regarding Flexible Funding*

*All correspondence between Hon Penny Simmonds and her seconded Private Secretaries regarding Flexible Funding*

*All correspondence between Hon Penny Simmonds, Hon Penny Simmonds' staff (both Ministerial and seconded Private Secretaries) and the media regarding Flexible Funding*

For the first part of your request, I have identified nineteen items of correspondence that have been identified as being in scope of your request.

There are thirteen items of correspondence that I have received that was then forwarded to my staff that I am withholding in full under section 9(2)(a) of the Act, protect the privacy of natural persons, as they relate to personal circumstances. The thirteen emails were then forwarded to my staff to get a response.

I am releasing six items of correspondence I have received in scope of the first part of your request, with redactions under section 9(2)(a) of the Act. I am also releasing one report in full.

#	Email subject line:	Release Status
1	Clarification to flexible	Partially released
2	Clarification Lines Draft v.1	Partially released
3	Details to release – Question response today	Partially released
4	OIA - minister of finance - new guidelines for Whaikaha - where is the consultation	Partially released
5	REPWHK244042 Clarification to Flexible Funding Purchasing Rules and guidance (003)	Partially released
6	Today's meeting (Epilepsy NZ)	Partially released

#	Document title	Release Status
1	REP/WHK/24/4/042 Clarification to Flexible Funding Purchasing Rules and guidance	Released in full

For the second part of your request relating to correspondence between myself and the Whaikaha private secretary, I have identified two items of correspondence in scope of your request. These are being released to you with redactions under section 9(2)(a) & 9(2)(g)(i) of the Act.

#	Email subject line:	Release Status
1	Clarifications	Partially released
2	Memo re_ Flexible Funding Use and evidence of use beyond the original intent of the funding	Partially released

For the third part of your request, all media queries were passed through the Ministerial Advisor. These are attached and listed below, with redactions under section 9(2)(a) of the Act.

#	Email subject line:	Release Status
1	Media request- The press	Partially released
2	Newshub_TV3 Media Enquiry - Penny Simmonds	Partially released
3	TO CONFIRM_ Newshub query_ Pedicures and haircuts	Partially released

All proactively released material that is in scope of your request is located on Whaikaha's website.

Response to OIA requests can be found here: <https://www.whaikaha.govt.nz/about-us/corporate-publications/responses-to-oia-requests>

Reports received by the Minister can be found here: <https://www.whaikaha.govt.nz/about-us/corporate-publications/reports-to-the-minister/2023-reports-to-the-minister> and here: <https://www.whaikaha.govt.nz/about-us/corporate-publications/reports-to-the-minister/reports-to-the-minister-in-2024>

If you would like to receive any of the reports, you will need to make an Official Information Request to Whaikaha.

I am also attaching a table that includes a list of documents relating to changes to Purchasing Rules and EMS, which was attached in a previously answered OIA request. Some of these documents have been proactively released, and the balance are withheld in full under (9(2)(f)(iv). Any requests to release these documents would need to be addressed to the current Minister for Disability Issues, Hon. Louise Upston.

#	Date of document	Title
1	5 December 2023	Ministerial briefing – EP/WHK/23/11/007 Whaikaha - Ministry of Disabled People Funded Disability Supports
2	13 December 2023	Talking points: Notes to support Hon Simmonds to discuss Whaikaha cost pressures with the Minister of Finance
3	15 December 2023	Ministerial briefing – REP/WHK/23/12/016 Options to manage cost and spend growth in disability supports
4	20 December 2023	ELT memo - Limiting 'sensitive expenditure' through flexible funding Note: This paper was never presented to ELT. Instead a new paper was drafted and presented in February 2024.
5	19 February 2024	ELT memo - Changes to Flexible Funding
6	19 February 2024	ELT memo – Proposed Measures to manage demand within EMS
7	19 February 2024	Excerpt from ELT Meeting Minutes
8	19 January 2024	Ministerial briefing – REP/WHK/24/01/003 Prioritising options to manage cost and spend growth in disability supports.
9	22 February 2024	Ministerial briefing – REP/WHK/24/2/018 Changes to Equipment and Modification Services and flexible funding to manage Whaikaha expenditure
10	28 February 2024	Excerpt from Action Points from Whaikaha officials meeting with the Minister for Disability Issues
11	4 March 2024	ELT memo - Implementation Plan for changes to Flexible Funding
12	4 March 2024	Excerpt from ELT Meeting Minutes
13	7 March 2024	Ministerial briefing – REP/WHK/24/03/025 Update on progress on Whaikaha savings options
14	14 March 2024	Memo to Minister - Update on implementing changes to EMS and flexible funding to manage Whaikaha expenditure

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to this response in accordance with section 28(3) of the Act. The relevant details can be found on their website at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Kind regards,



**Hon. Penny Simmonds**

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