

OIA-CE-2025-02852

16 April 2025

s9(2)(a)

Tēnā koe s9(2)(a)

Thank you for your email, received on 27 March 2025, to Oranga Tamariki—Ministry for Children (Oranga Tamariki) requesting information on historic and active policies. Your request has been considered under the Official Information Act 1982 (the Act).

You have requested:

Under the Official Information Act I am requesting the following:

- *Copies of Oranga Tamariki's policies relating to procurement, purchasing, segregation of duties and conflicts of interest that were in place in between the dates of July 25, 2021 and October 27, 2022.*
- *Copies of the aforementioned policies that are current as of March 2025.*

Please find attached documents identified as in scope of your request:

- previous Procurement Policy – note this was shared with the Ministry of Social Development
- current Social Services Procurement Policy (issued July 2022)
- previous Conflict of Interest Policy (issued in February 2021) – note this was later replaced by a Disclosure of Interest Policy
- current Procurement Policy (issued May 2024) – note we believe this covers both purchasing and procurement policies as requested
- current Disclosure of Interest Policy (issued February 2025).

As signalled above, the Social Services Procurement and Conflict of Interest policies that were in place between the dates of 25 July 2021 and 27 October 2022 remain current as of March 2025.

Oranga Tamariki does not have a policy for segregation of duties. As such, this portion of your request is refused under section 18(g)(i) of the Act, as the information is not held by Oranga Tamariki, nor do we have any reason to believe it is held by another department.

Oranga Tamariki may make the information contained in this letter available to the public by publishing this on our website with your personal details removed.

I trust you find this information useful. Should you have any concerns with this response, I would encourage you to raise them with Oranga Tamariki. Alternatively, you are advised of your right to also raise any concerns with the Office of the Ombudsman. Information about this is available at www.ombudsman.parliament.nz or by contacting them on 0800 802 602.

Nāku noa, nā



Michelle Malyon

**General Manager Public Information and Ministerial Services
System Leadership**

APPENDIX 1: MSD Procurement Policy

The Policy

Procurement covers **all** the business processes associated with purchasing the goods and/or services we use to run our business and deliver our public service objectives. It starts with identifying our needs, then planning the best way to meet them, continues through sourcing the goods and/or services, then managing the contract, and ends with expiry of either the contract or the asset's useful life.

Our agency has set objectives and outcomes to ensure that “*we help New Zealanders to help themselves to be safe, strong and independent*”. The procurement policy supports MSD objectives and outcomes through:

- *Intelligent delivery* – ensuring appropriateness of policies and processes that meet MSD needs.
- *Centre on the public* – ensure that public money is spent appropriately, with a robust approvals processes, and creates value for money.
- *Team up as one Ministry* – ensure collaboration and consistency across the organisation.
- *Improve processes, systems and service delivery* – ensure processes and systems allow for management of risks and benefits.
- *Strengthen our capability* – provide development and training opportunities for our staff in procurement matters and commercial thinking.

We are a large procurer of good and services in New Zealand. To ensure continued accountability and robust governance, it is crucial that the procurement function and activities are carried out within a clearly defined framework that is fair, robust and transparent.

This policy does not cover:

- Disposal or acquisition of property
- The power to recruit and make employment related decisions

This policy is to be read in conjunction with procurement procedures and other relevant financial policies.

Purpose

The purpose of this procurement policy is to state our intentions, and inform staff involved in procurement of the appropriate behaviour when conducting a procurement process with particular emphasis on the sourcing aspect and the process where there are no existing contracts or preferred service providers or suppliers in place.

This policy sets out a framework within which we can:

- Meet a justifiable and approved organisational need.
- Maximise the efficiency of procurement.
- Standardise procurement processes by providing us certainty of our obligations.
- Deal with service providers and suppliers in a fair, open and transparent manner.
- Ensure maximum value for money taking into consideration the Total Cost of Ownership in the procurement of goods and services.

Audience and Scope of Policy

This policy covers **all** procurement in MSD including commercial and social services requirements. Individual service lines across social services and commercial requirements will have specific operational policies and procedures in place however this policy is applicable across all service lines.

This is a MSD-wide policy and applies to all staff procuring goods or services on our behalf.

Our Procurement Objectives

The Government Rules of Sourcing require a value-for-money approach to selecting service providers and suppliers. Our procurement objectives are to:

- Get the best results from our spending, including sustainable value-for-money over the lifetime of the goods and/or services we buy.

- Raise performance standards through fair and effective management of our suppliers and service providers, to get the best public services for New Zealand.
- Help New Zealand service providers and suppliers grow capability and increase effectiveness by working with them to identify opportunities for innovation and continuous improvement in planning, decision making and ongoing contract management.

How we work

MSD Principles of Procurement

We will apply the Principles of Government Procurement and Government Rules of Sourcing when planning, sourcing and managing our procurement, as these set the standard for good practice.

The way we buy goods and/or services will vary depending on the value, complexity, risk involved and whether they are for social service or commercial requirements. We will apply the approach best suited to the individual purchase, within the framework of the Principles and Rules.

We must demonstrate high ethical standards based on honesty, integrity and transparency in all our procurement. The principle underlying all MSD procurement is that it must be (and must be seen to be) beyond reproach. Procurement activity must be conducted in a manner which ensures we maintain a reputation of being fair, transparent and unbiased towards service providers and suppliers evidenced through sound and robust record keeping.

Government Procurement Principles

We have based our procurement around the Government Procurement Principles which underpin all our procurement activity even when some of the Rules do not apply. The Principles state the following:

<p>Plan and manage for great results</p> <ul style="list-style-type: none"> ➤ Identify what you need and plan to get there. ➤ Set up a team with the right mix of skills and experience. ➤ Involve suppliers early – let them know what you want and keep talking. ➤ Take the time to understand the market and your effect on it. Be open to new ideas and solutions. ➤ Choose the right process – proportionate to the size, complexity and the risks involved. ➤ Encourage e-business (for example, tenders sent by email). 	<p>Be fair to all suppliers</p> <ul style="list-style-type: none"> ➤ Create competition and encourage capable suppliers to respond. ➤ Treat all suppliers equally – we don't discriminate (this is part of our international obligations). ➤ Give New Zealand suppliers a full and fair opportunity to compete. ➤ Make it easy for all suppliers (small to large) to do business with us. ➤ Be open to subcontracting arrangements in big projects. ➤ Clearly explain how you will assess suppliers' proposals – so they know what to focus on. ➤ Talk to unsuccessful suppliers so they can learn and know how to improve next time. 	<p>Get the right supplier</p> <ul style="list-style-type: none"> ➤ Be clear about what you need and fair in how you assess suppliers – don't string suppliers along. ➤ Choose the right supplier who can deliver what you need, at a fair price and on time. ➤ Build demanding, but fair and productive relationships with suppliers. ➤ Make it worthwhile for suppliers – encourage and reward them to deliver great results. ➤ Identify relevant risks and get the right person to manage them.
<p>Get the best deal for everyone</p> <ul style="list-style-type: none"> ➤ Get best value for money – account for all costs and benefits over the lifetime of the goods or services. ➤ Make balanced decisions – consider the social, environmental and economic effects of the deal. ➤ Encourage and be receptive to new ideas and ways of doing things – don't be too prescriptive. ➤ Take calculated risks and reward new ideas. ➤ Have clear performance measures – monitor and manage to make sure you get great results. ➤ Work together with suppliers to make ongoing savings and improvements. ➤ It's more than just agreeing the deal – be accountable for results. 	<p>Play by the rules</p> <ul style="list-style-type: none"> ➤ Be accountable, transparent and reasonable. ➤ Make sure everyone involved in the process acts responsibly, lawfully and with integrity. ➤ Stay impartial – identify and manage conflicts of interest. ➤ Protect suppliers' commercially sensitive information and intellectual property. 	

Application to MSD Procurement

We have translated the Government Procurement Principles into an approach that covers planning, sourcing, how we manage contracts, expectations around procurement, how we use the Rules, and our overall procurement responsibilities. Each of the Principles is addressed in turn.

Plan and manage for great results

When planning procurement projects we will:

- Use processes that are proportionate to the size, complexity and risks involved in the contract to get the best outcomes
- Make sure we have up to date knowledge about the market and the effect our procurement has on it
- Involve service providers and/or suppliers early in the process to explain our needs, learn about them and explore opportunities for new solutions before going to the market
- Use electronic tools wherever possible
- Ensure we have financial approval aligned with our financial delegations policy (at least in principle) before going to the market.

Be fair to our markets

When we buy goods and/or services, we will:

- Purchase off government collaborative contracts or our existing supply contracts if they can meet our requirements
- Fund existing service providers with Ministry approval
- Be clear about what we require and how we will assess them before going to market
- Give sufficient response time for our requests
- Give all service providers and suppliers a full and fair opportunity to compete – all are welcome to bid for MSD work as long as they meet our valid selection criteria
- Consider subcontracting opportunities in big projects, so small and medium organisations can grow their capability
- Use approved templates for our procurement documents provided on Doogee
- Use MSD's procurement systems and purchasing mechanisms

Get the right supplier (service provider)

When we buy goods and/or services, we will:

- Choose suppliers that have demonstrated their ability to meet our requirements and offer the best value-for-money over the lifetime of the goods and/or services, taking into account:
 - All the costs of ownership over that lifetime;
 - Suppliers' ability to deliver what we need at a fair price and on time; and
 - The social, environment and economic effects of the deal.
- Have an approved purchase order and/or agreement in place before they start delivering goods and/or services – except when using a purchasing card.

Get the best deal for everyone

To get the best from our service providers and suppliers, we will:

- Set clear performance measures, then monitor and manage the contract against them
- Encourage and recognise suppliers for delivering great results
- Work with service providers and suppliers to make ongoing improvements for both entities

Play by the rules

To play by the rules we will:

- List the awarded contracts on GETS if over a value of \$100,000
- Treat them all fairly and with respect
- Be consistent, transparent, fair and accountable in the way we work
- Protect their commercially sensitive information and intellectual property

- Offer a debrief to unsuccessful organisations
- Pay them promptly

Procurement Responsibilities

We must be mindful of the fact that we are subject to and must comply with, all applicable legislation. The Government Rules of Sourcing must be complied with as they set out the standards for good procurement practice, especially when:

- Buying goods or services with a value of \$100,000 or more; or
- Buying construction works or services with a total value of \$10,000,000 or more.

Opt-out procurement exists for social services however the Principles and a number of the Rules continue to apply. These Rules are:

- Protection of supplier (service provider) information – Rule 5
- Supplier (service provider) complaints – Rule 47
- Prompt payment – Rule 48
- Maintaining records – Rule 49
- Audits – Rule 50

We will notify on GETS any contracts we award over a value of \$100,000 over the life of the contract irrespective of what procurement process we have used except for goods or services obtained under opt-out or secondary procurement processes.

We must declare any perceived or actual conflicts of interest as soon as practicable in accordance with procedures published on Doogle.

We must respect the confidentiality of information that we are exposed to in the course of our work, and must not disclose this information to third parties. Furthermore, we must not use any information for personal gain.

We must not accept gifts or hospitality from service providers or suppliers other than items of minor value or as is reasonable in the circumstances as permitted by MSD policy. Where we are involved in a procurement process, we will be especially vigilant of this requirement until the procurement process is completed.

The MSD Code of Conduct identifies our required behavioural standards for staff in all areas of our work. In all our procurement activities, we will act lawfully, ethically and responsibly.

Next review:	
Prepared by:	
Authorised by:	
Approval date:	
Date issued:	
Last review:	

APPENDIX 2: Operational Procurement Policy - Commercial

Scope

This commercial operational policy supports the MSD Procurement Policy by providing the framework for engagement of suppliers from the initial needs identification through to the contract ending or disposal of an asset. It sets the requirements for entering into this form of procurement and is distinct from Social Services/Welfare requirements which are described under its own operational policy.

Procurement methodology by value

The procurement methodology by value provides a systematic basis for determining the appropriate procurement methodology to apply in a given situation. The application of a particular procurement methodology reflects delegations and the table below identified the value threshold and associated procurement process.

Note that our default procurement process is an open competitive process where existing supplier contracts including collaborative and All-of-Government (AoG) contracts are not available. For a complete list of current contracts, refer to the Procurement Solutions site on Doogle <http://doogle.ssi.govt.nz/working-here/finance-procurement/procurement-solutions-team.html>

Whole-of-life Cost	Procurement Process	Purchase Mechanism
\$1-9,999	<i>Direct:</i> Direct source.	POP or PCard
\$10,000-49,999	<i>Direct:</i> Get one written quote.	POP
\$50,000-99,999	<i>Competitive:</i> Get three written quotes.	POP
\$100,000+	<i>Competitive:</i> Approval from Procurement Board to conduct a procurement process (contact the Procurement Practice for assistance).	Establish contract and purchase order

Procurement methodology documentation requirements

There are a number of documents that comprise a procurement process. The minimum requirements by value are as follows:

Minimum requirements	\$1-9,999	\$10,000-49,999	\$50,000-99,999	\$100,000+
	<i>Direct source</i>	<i>Direct source</i>	<i>Three quotes</i>	<i>Open market</i>
Prior approval by DFA holder	✓			
Short form procurement plan		✓	✓	
Long form procurement plan				✓
Conflict of interest and confidentiality statements			✓	✓
Template RFx			✓	✓
Evaluation team and workbook				✓
Written approval of DFA holder		✓	✓	
Recommendation report				✓
Template contract		✓	✓	✓
Short form contract management plan			✓	
Long form contract management plan				✓

Comprehensive documentation of any procurement activity must be maintained at all times covering the minimum requirements and must be appropriately recorded and stored, as all information held by MSD is obtainable under the Official Information Act. Also refer to the Public Records Act 2005.

Roles and responsibilities

In any procurement process, there are varying roles and responsibilities required to be filled in terms of processing documentation to meet procurement policies and AoG Rules. For MSD, we have developed the following guidelines where we have specified roles of:

- *Procurement Officer* – the person responsible for running the procurement process, generally a subject matter expert from the service line requiring the delivery of particular goods or services.
- *Procurement Practice* representative – generally a Procurement Advisor, Procurement Specialist or Category Manager assisting the Procurement Officer. If agreed between the service line and the Procurement Practice, the Procurement Practice representative can also act as the Procurement Officer.
- *Procurement Owner* – the person accountable for the procurement process from the service line (generally a tier 3 or 4 manager).
- *Procurement Sponsor* – the senior accountable person from the service line (generally a tier 2 or 3 manager). The Procurement Sponsor may also be the Procurement Owner in some processes.
- *Legal Services* – input to the process from a legal perspective.
- *Procurement Board* – endorsement from the Procurement Board for processes estimated to cost \$100,000 or more over the whole of life.

The responsibilities are as follows:

Document requiring approval	Proc Officer	Proc Practice	Proc Owner	Proc Sponsor	Legal Services	Proc Board
Procurement plan - short	Draft or endorse	Draft or endorse	Endorse	Approve		
Procurement plan - long	Draft or endorse	Draft or endorse	Endorse	Endorse		Approve
Conflict of interest plan	Draft or endorse	Draft or endorse	Endorse	Approve		
RFx documents	Draft or endorse	Draft or endorse	Endorse	Endorse		
Evaluation workbook	Draft or endorse	Draft or endorse				
Recommendation report	Draft or endorse	Draft or endorse	Endorse	Endorse		Approve
Final contract	Draft or endorse	Draft or endorse	Endorse	Approve	Endorse	
Contract signing				Sign		
Contract plan	Draft or endorse	Draft or endorse	Endorse	Approve		
Exemption memo	Draft or endorse	Draft or endorse	Endorse	Endorse		Approve

Approvals before process commences

The procurement methodology (by value of purchase) and documentation requirements are not a comprehensive or exclusive process guide and should not be treated as such. Budget Managers should contact the Procurement Practice for further guidance as appropriate.

This is based on the assumption that you have gained and been granted appropriate financial and project approval.

Before any procurement activity is undertaken you will need to complete the following internal processes:

- Budget identified and approved
- Appropriate governance committee identified and consulted
- Business case or procurement plan prepared for all purchases over \$10,000 (to be authorised by the CFO/CPO and Senior Manager of the service line other than the business writer). It is recommended that you seek Procurement Practice advice.

MSD Procurement Board

We operate a central forum through the MSD Procurement Board whose role is to endorse procurement plans and the final selection of the preferred supplier where the whole-of-life cost is estimated to be over \$100,000 and for contractor engagement over \$100,000. Additionally, the Procurement Board will review and provide decisions on all exemptions from open tendering as well as contractor engagements over \$100,000.

The role of the Procurement Board is expressed as follows:

The Procurement Board's role is to ensure that any procurement process fully complies with MSD policies and guidelines which includes, but not restricted to reviews of the process, releasing and advertising notices of procurement, selection of potential tenderers, relevant evaluation criteria, selection of preferred suppliers, exemptions from open tendering and complying with appropriate financial approvals that are in place.

For further information refer to Procurement Board Terms of Reference and procurement procedures.

Exemption from Standard Policy or Procedures

The standard requirements for MSD procurement is as outlined in the procurement processes published on Doogle <http://doogle.ssi.govt.nz/working-here/finance-procurement/procurement-practice.html>

However, in certain circumstances, selective procurement may be appropriate in accordance with the outline provided below. For all selective procurement processes, the Procurement Practice must be engaged.

Selective Procurement

Procurement is selective or pre-qualified when it is procured through a supplier without having invited competing quotes from any other supplier. This is an acceptable procurement process for certain purchases and is subject to our approved delegation.

At times, the cost of procuring goods or services can exceed the benefits of the procurement process. Given this, the procurement procedures provide sufficient flexibility to use an alternative process such as selective purchase. The Procurement Practice must be consulted prior to the selective procurement.

Where you depart from the standard procurement procedures, documentation is required, justifying the rationale for this approach including the suitability of the supplier and the evidence of the approvals from the appropriate delegated authority.

A selective purchase may be justified:

- When there is a limited supply market
- If only one supplier has the capacity to deliver at the time required
- When standardisation or compatibility with existing equipment, infrastructure or services is essential
- Where there is a mandated government directive (such as All of Government contracts).

A selective procurement will require a Purchase Order and may result in MSD entering into a formal contract arrangement with the supplier.

Approval for selective procurement where the whole of life cost is estimated to exceed \$100,000 is granted by the Procurement Board through an exemption memo. The Procurement Board must be satisfied that the exemption is based on sound justification or exceptional circumstances and not for the purposes of avoiding competition, this way the integrity of the procurement process is maintained.

For procurement between \$10,000 and up to \$99,999 documentation supporting the method of procurement and selection of supplier must be kept. Short form procurement plans will be required which are to be endorsed by the CFO/CPO and Senior Manager of the service line other than the business writer.

Engagement of Contractors

The procurement process for engagement of contractors is facilitated through AoG contracts or preferred supplier lists. The policies procedures for this are provided for on Doogle <http://doogle.ssi.govt.nz/working-here/finance-procurement/procurement-practice.html>

Any engagement of contractors with a whole of life value exceeding \$100,000 will require endorsement by the Procurement Board.

Secondary Procurement Processes

Secondary procurement processes apply to the use and selection of suppliers from AoG contracts and preferred supplier lists.

Where a new AoG contract requires a secondary procurement process, the Procurement Practice will be responsible for engaging with MSD stakeholders and using the approved processes to make a selection. The procedures for this engagement and selection process are provided on Doogle.

Emergency Procurement

In a genuine emergency we may forego routine procurement procedures for goods or services that are urgently required to provide emergency assistance or relief. Emergency procurement is to be used in genuinely unforeseen circumstances only such as in the event of a major catastrophe and not in the case of poor planning or avoiding policy or guidelines.

In the context of this policy an emergency is defined as an event which puts:

- Life, property or equipment at immediate risk; or
- Standards of public health, welfare or safety having to be re-established without delay, such as in the case of disaster relief; or
- our service delivery would be significantly impaired if it failed to respond promptly.

MSD has three levels of emergency procurement:

- Level 1 – immediate response: reactive procurement
- Level 2 – disaster relief: emergency
- Level 3 – post-disaster reconstruction: accelerated procurement.

In each level the procurement should be limited to what is required to cope with the particular emergency and should be carried out with due diligence and robustness as standard procurement activity as is appropriate for the level of emergency procurement. A member of the Procurement Practice should be contacted for assistance.

Risk

We must identify potential or actual risks relating to each particular procurement process prior to its commencement. Steps to mitigate risks should be taken wherever possible. Risks could include but not be limited to:

- Inadvertently creating a premature contractual relationship
- A business risk to MSD
- A legal risk to MSD.

A risk based approach is to be used for procurement processes. The risk framework assesses the likelihood and impact and enables the development of appropriate mitigation plans. Depending on the nature of the procurement, this risk may also need to be identified on the risk register.

Health and Safety

Procurement decisions must consider and identify any Health and Safety requirements. Under the Health and Safety at Work Act 2015, MSD and some MSD staff have a statutory requirement to:

- Eliminate or minimise risk to health and safety, so far as is reasonably practicable; and
- Ensure so far as is reasonably practicable, the health and safety of MSD staff and the workers of suppliers whose activities in carrying out work are influenced or directed by MSD.

Managers and staff who are required to undertake procurement need to ensure health and safety is included in procurement decisions and contract management activities.

Training

All MSD staff engaged in procurement are to be trained in the five Principles of Procurement and are able to reasonably demonstrate practicable knowledge and its application.

The Procurement Practice is responsible for providing this training within MSD.

Compliance

Monitoring Compliance

It is the responsibility of the CFO/CPO or their designate to ensure that there are adequate controls over our procurement processes including adequate financial controls over those procurement processes to safeguard MSD financial resources.

Compliance will be monitored and all serious deviations will be reported by the CFO/CPO to the Deputy Chief Executive, Organisational Solutions as soon as practicable.

Where the particular procurement needs of an individual employee or service line require exemption from this policy, a written request will be made to the CFO/CPO for prior approval before submission to the Procurement Board.

Consequences of Non-compliance

Full compliance with this policy is required. A breach of this policy may constitute misconduct, or, depending on the circumstances, serious misconduct under the Code of Conduct.

Where you breach this policy we may apply one or all of the following:

- Seek disbursement of costs directly from the employee;
- Decline to use funds in MSD accounts to meet the financial commitment arising from the procurement transaction.

Next review of this policy:	
Prepared by:	
Authorised by:	
Approval date:	
Date issued:	
Last review:	

APPENDIX 3: MSD Procurement Board: Terms of Reference (ToR)

Introduction

MSD spends a significant amount of money with many suppliers on an annual basis. To ensure compliance to the standards expected by Government, and to ensure appropriate commercial relationships are established, on sound financial and economic basis, MSD undertakes open open competitive procurement processes on a regular basis.

All notices of procurement released for commercial requirements (that is, not including for social services) by MSD must first be approved by the Procurement Board. The Procurement Board has received its mandate through the Finance and Portfolio Governance Committee.

Purpose of Procurement Board

The Procurement Board is a centrally operated forum whose role is to approve the release of all approaches to market including Requests for Information and Notices of Procurement where the whole-of-life cost is expected to exceed \$100,000. If a document is being released to the open market seeking an expression or a response from the market, then a procurement plan is to be approved prior to release by the Procurement Board. Additionally, the Procurement Board will review and provide decisions on all exemptions from open market procurement processes.

The role of the Procurement Board is expressed as follows:

The Procurement Board's role is to ensure that any procurement process fully complies with MSD policies and guidelines which includes, but not restricted to reviews of the process, releasing and advertising notices of procurement, selection of potential tenderers, relevant evaluation criteria, selection of preferred suppliers, exemptions from open tendering and complying with appropriate financial approvals that are in place.

Members of the Procurement Board

The members of the Procurement Board are:

- Chief Financial Officer (Chair)
- Chief Procurement Officer
- Manager Procurement Practice
- Manager Business Improvement & Support
- Legal Services representative
- IT representative EPMO representative
- Risk and Assurance representative
- Service Delivery representative
- Oranga Tamariki representative

A quorum for the Procurement Board is the Chair (or delegated Acting Chair) plus two permanent members. The Procurement Practice will provide the secretariat to the Board.

Participation at Procurement Board meetings is by invitation to those submitting a tender document for approval. Minutes are taken by the Secretary.

Procurement Board Meeting Dates

Procurement Boards are generally held every week on a Monday. Procurement Board meetings are deferred if there are no submissions for approval.

The Procurement Board meetings are subject to change dependent on members' availability and therefore it is advisable to check with the Secretary on the available dates.

Use of Procurement Board

There are a number of times when the Procurement Board processes must be followed:

- (1) The approval of procurement plans where the expected whole-of-life cost of the contract will exceed \$100,000.
- (2) The evaluation and recommendation report to select a preferred supplier prior to entering into contract negotiations.
- (3) Exemptions from open market engagement where the expected whole-of-life costs are expected to exceed \$100,000.
- (4) Engagement of contractors where the engagement is expected to exceed \$100,000 over the period of the contract.

Procurement Plans (1)

The submission to the Procurement Board is irrespective of any open or closed procurement process with the determining factor being that the whole of life cost will exceed \$100,000. Project or procurement planning is to be undertaken in accordance with published procedures.

The submission of documents to the Procurement Board is to be included into all procurement planning processes related to the subject matter of the procurement or project.

Evaluation and Recommendation Report (2)

Once the tender has been evaluated the results of the evaluation, including the recommendations on the next stages to proceed within the project or procurement are to be submitted to the Procurement Board for approval. The final recommendation will be required for the Procurement Board to approve any commencement into a final contract negotiation, or sign off of the negotiations already undertaken.

All contracts entered into as part of the tender process will be required to adhere to the legal policies and the delegated authority limits set out with respect to the total value of the contract. Procurement Board approval does not provide for the approval for signing of the actual contract.

Exemptions from Open Tendering (3)

The Procurement Board will review all requests for exemptions from open market engagement where the expected whole of life cost of the contract will exceed \$100,000. The standard form memo template outlining and justifying the rationale behind any selective, sole source or opt out procurement provision must be provided for approval.

The Procurement Board will base all decisions on these exemptions against the Rules of Sourcing, applicable legislation and MSD policies.

Engagement of Contractors (4)

The Procurement Board will review all contractor engagement over a whole of life cost of \$100,000 to ensure relevant MSD or AoG contracts have been used and applicable policies are met.

How to Submit a Document to the Procurement Board – Expected Service Levels

The following requirements are expected for any submission to the Procurement Board.

- (1) A Procurement Board reference number is to be requested from the Secretary of the Procurement Board. This reference will be used for the procurement process when the document is released.
- (2) The draft Procurement Board submission is to be provided to the Secretary of the Procurement Board for review no less than 5 working days from the Procurement Board meeting. This is to ensure that the draft submission and recommendations conform to the required standard, prior to the meeting.

- (3) The Secretary of the Procurement Board will provide any required comments/amendments within 2 working days from receipt of the draft Procurement Board submission.
- (4) The final submission is to be provided to the Secretary of the Procurement Board no later than 2 days prior to the Procurement Board meeting. The final draft will require:
 - a. A covering memo in the format found the following link; you will need objective to access it.



Procurement Board Templates.obr

- b. All financial approvals referenced within the memo, including meeting minute references.
 - c. A copy of the submission, including any supporting documentation is to be prepared and submitted to the Secretary of the Procurement Board.
 - d. The submission to be signed as a minimum by the submitter and GM level appointment.
 - e. Dependent on the context of the procurement process, a DCE of the submitting service line may be required to counter-sign the submission. Advice regarding DCE sign-off can be provided by the Secretary.
- (5) Any submission not provided in accordance with (1) through (4) above will be deferred until the next sitting of the Procurement Board.
- (6) Any final submission not submitted to the Secretary of the Procurement Board by the timetable set out above will be deferred until the next sitting of the Procurement Board.
- (7) Once approval (or otherwise) by the Procurement Board has been given, the Secretary of the Procurement Board will notify the submitter. This will be undertaken within 24 hours of the Procurement Board meeting.

Additional Guidelines and Documentation

Refer to the Finance & Procurement on Doogle for all policies, processes and guidelines related to procuring goods or services.

Assistance

The Procurement Practice is available to assist in all aspects of the project or procurement planning process.

For assistance, contact: Procurement@msd.govt.nz

APPENDIX 4: Commercial Procurement Role Statement

The Strategic Direction document provides the mandate, mission and vision for the Ministry of Social Development to follow. MSD's business objectives and service delivery requires a large proportion of corporate spending on goods and services. MSD spend for corporate goods and services are just over \$1billion per year. This makes us one of the largest purchasers within New Zealand government.

Procurement Solutions supports MSD through being a vital link between MSD's buyers of goods and services and Suppliers and other government agencies. We facilitate the acquisition of an extensive and wide range of products and services. Our role is to assist MSD's business to procure and pay for the goods and services it needs in fair, efficient and cost effective ways.

We are accountable for compliance with requirements of the Government Rules of Sourcing and MSD's own financial and procurement policies. We ensure that all qualified and interested potential suppliers have opportunity to compete for MSD business. We ensure that all purchasing transactions are processed in a timely and cost effective manner that best fulfils the requirements of the customer while satisfying any applicable legislation and/or management policy. We assist the managers responsible for ensuring the money that MSD is allocated is wisely spent by providing an end to end procurement to payment solution that maximises value for money.

We aim to be a best practice example for the rest of the organisation, keeping the organisation safe/lowest risk in its procurements while building the overall procurement capability of the organisation. We are leading change in procurement practice while providing advice on solutions that will achieve better outcomes for MSD. Procurement Solutions achieves this by providing centre led procurement related services to business groups and individuals in MSD.

Procurement Solutions main objective is to ensure MSD receives quality goods and services in the most economical manner, while ensuring that suppliers have fair and equitable access to related business opportunities. Procurement work contributes to the achievement of optimum cost-effectiveness and service performance through such strategies as consolidation and bulk procurement of government requirements.

Procurement Solutions works to ensure that every purchase represents a fair and reasonable cost to the taxpayer for the required goods or services.

Our role as the Corporate Procurement Centre of expertise for MSD is to:

- Be accountable for the excellence and execution of the end-to-end procurement lifecycle
- be a centre of expertise for MSD for corporate procurement advice and for leading high risk or pan-MSD procurement projects
- analyse and report MSD corporate procurement spend
- assist managers to spend wisely
- promote uptake of the procurement principles
- ensure MSD participates in government procurement reforms and optimises use of AoG offerings
- accelerate improvement of commercial acumen, procurement capability and capacity;
- improve the use of technology (such as e-tenders, e-auctions), in procurement activities.

Social Service Procurement Policy

July 2020

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Who is this document for?

This policy describes how Oranga Tamariki—Ministry for Children (Oranga Tamariki) undertakes social service procurement. It aims to:

- help our partners to understand how we work and the decisions we make
- challenge ourselves to live up to our values in our procurement work.

This policy applies to all social services procurement and sourcing activities undertaken by Oranga Tamariki, and excludes all commercial goods and services.

Who are we?

Oranga Tamariki was established on April 1, 2017. We are a Ministry dedicated to supporting any child in New Zealand whose wellbeing is at significant risk of harm now, or in the future. We also work with young people who may have offended, or are likely to offend.

We support children, family and whānau to restore their mana, their sense of self, their important connections and relationships, their right to heal and recover, and reach their potential. To support this ambition, we fund many non-government organisations that provide social services to tamariki, rangatahi and whānau. The focus of our work means that the social services we fund are for tamariki and whānau that need considerable support to stay safe, and connect meaningfully with their whānau and wider community.

What has changed?

Together, the following factors are transforming how we undertake procurement.

- Tamariki Māori make up a majority of the children we work with. From 1 July 2019, Oranga Tamariki has new legal obligations to recognise and provide a practical commitment to the principles of te Tiriti o Waitangi (the Treaty of Waitangi), including reducing disparities for tamariki Māori and their whānau.
- We are committed to a strategic commissioning approach. This means that we work with partners, providers and other stakeholders so, together, we can give considered thought on what we want to achieve and for who. This then enables us to focus on how we build our partnerships and invest our collective time, resources, and expertise. We are moving towards closer partnerships, particularly with iwi and Māori organisations to give effect to our Tiriti obligations, but also to empower local communities working with their tamariki and whānau.

Procurement activities are one part of our commissioning approach – starting with the point at which we engage our partners with a view to funding social services, and ending at the point where we reach a mutual agreement to fund a new or continued social service or other activity.

Values-driven procurement

The purpose of our procurement activity is to make things happen for tamariki and whānau, in order to achieve our vision, purpose and desired outcomes.

- Our vision is that New Zealand values the wellbeing of tamariki above all else
- Our purpose is to ensure that all tamariki are living with loving whānau and in communities where oranga tamariki can be realised.
- Our published outcomes framework describes our end goals, our activities and what we expect to see.

Good procurement requires principled choices about the processes that are undertaken and the decisions that result. The way we procure and the decisions we take are guided:

- firstly by our values set out below
- then by the Government procurement principles, charter and rules, including Broader Outcomes, as applicable.

WE PUT TAMARIKI FIRST

We will challenge when things aren't right for tamariki.

Statement

We will genuinely hear the voice of tamariki and whānau and make sure it guides our decisions and investments. We know we need to meet tamariki and whānau here they are at and be flexible to this. We will focus relentlessly on developing arrangements that support tamariki and whānau to achieve their goals their way. We recognise that the needs of each whānau, and their wider network of hapū and iwi, are different. Before commissioning a new service, we need to be confident that tamariki and whānau want and need the activity sought

What might this look like?

We will focus as much on how tamariki and whānau want to be supported (the experience), as well as any service 'model' or functional design. We will avoid a 'one-size-fits-all' approach in providing services to tamariki and their whānau. We will regularly check in to make sure we are meeting the needs of tamariki and whānau. Where things are not working for tamariki and whānau, we will work together to learn and grow from these experiences. We will ensure procurement plans, tender documentation, and requests for proposals give prominence to the voice of tamariki and whānau. Where we can, we will involve tamariki and whānau in the process

WE WILL RESPECT THE MANA OF PEOPLE

We listen, we don't assume, and we create solutions with others.

Statement	<p>We will create solutions by involving tamariki, iwi and Māori organisations, and other partners early in the process. We recognise that different people, organisations and communities will want to do things differently to achieve better outcomes for tamariki and whānau.</p> <p>We will respect the diversity of the purpose iwi and Māori organisations, and other partners, we work with. That is, we will acknowledge the pūtake, or reason for being, of a partner may be across multiple goals or purposes and that this will form part of their approach to working with tamariki and whānau.</p>
What might this look like?	<p>We will be open-minded. Wherever possible, we will ask potential partners to tell us their ideas for how they will achieve given outcomes – providing guidance on any 'lines in the sand' we have and what our initial thinking is on any hallmarks for success. We will recognise the expertise of our partners and their commitment to the mahi. We will manage any disagreements, conflicts and challenges with respect and openness. We will respect and have regard for our partner's tikanga or traditions when we work together to deliver a service.</p>

WE BELIEVE AROHA IS VITAL

It keeps us focused on what is right.

Statement	<p>We recognise that a stable, loving environment is vital for our tamariki. Empathy, strong relationships, and connections are fundamental. We seek to empower tamariki and whānau to nurture aroha. We will do our best to encourage aroha across organisations and people – supporting collaborative efforts for tamariki and whānau.</p>
What might this look like	<p>We will commission services that recognise the importance of aroha. Where possible, we will move away from service specifications that are highly prescriptive, towards service specifications that are driven by tamariki and whānau centred outcomes.</p>

WE VALUE WHAKAPAPA

Tamariki are part of a whānau and a community.

Statement We want to commission services that partner with and support existing whānau, hapū, iwi and community support networks. We recognise the importance of supporting tamariki to understand where they are from and the community they belong to. We will seek to maximise direct and indirect positive impacts of our commissioning on iwi, hapū, whānau and communities. This includes supporting whānau, hapū and iwi to exercise their whanaungatanga responsibilities. By supporting whakapapa and whanaungatanga we will support tamariki to realise their mana tamaiti.

What might this look like? When making decisions, we recognise the importance of supporting tamariki to understand where they are from and the community, they are part of, shown by the different procurement strategies we take for commissioning services. For tamariki, knowledge of their identity and connections within iwi, hapū and whānau are essential to their wellbeing. Oranga Tamariki also recognises that the money we spend on support services for tamariki and whānau can have an indirect, positive social impact on iwi, hapū and communities. For example, the fostering or support of collective unity, or kotahitanga, between iwi and Māori organisations or within whakapapa groupings themselves (through exercising whanaungatanga).

WE ARE TIKA AND PONO

We do what we say we will do.

Statement We will strive to be open, fair, and transparent and to make sure that there are opportunities for organisations that share our kaupapa to work with us. We recognise that opening up opportunities will sometime mean creating competition between organisations. When we engage with specific organisations (and not others), we will explain our choices clearly and openly.

What might this look like? We will implement procurement approaches that are appropriate for the situation. Whichever approach we use, we will act fairly, follow the relevant rules, conduct due diligence and manage any conflicts. We will focus our commissioning on achieving outcomes, providing clear evaluation criteria for any procurement activity. We will give clear, constructive feedback on procurement decisions.

WE RECOGNISE THAT ORANGA IS A JOURNEY

We understand the long-term impact of our actions today

Statement Our partners are key to supporting tamariki and whānau on the journey towards wellbeing; we are committed to their success. We will partner with those who are able to work with tamariki and whānau in ways that empower and heal. We acknowledge the work we do with our partners has responsibilities and accountabilities to current and future generations of tamariki, whānau, hapū, iwi and other groups (the principle of purotu).

What might this look like? We will work to ensure our procurement practices promote sustainability and help to build the capability and capacity of our partners to support tamariki and whānau. We will build trust with iwi and Māori organisations, and other partners by showing long term commitment and respect.

In addition to the Oranga Tamariki values, we believe there are additional values to consider as part of procurement. These values are based in the Treaty of Waitangi (Te Tiriti o Waitangi), whanaungatanga responsibilities and Māori business concepts. As above, as part of our commitment to whakapapa, whānau must be considered in the wider context of hapū and iwi.

THE PRINCIPLES OF THE TREATY OF WAITANGI (TE TIRITI O WAITANGI)

We honour these principles through our work with whānau, hapū and iwi

Statement	The principles of the Treaty of Waitangi (Te Tiriti o Waitangi) (the Treaty) will be central to the work we do. This includes ensuring that principles such as partnership and reciprocity, active protection and kāwanatanga, and equity are the building blocks for our relationships with whānau, hapū and iwi. In the spirit of the Treaty, when we work with iwi and Māori partners we will ensure Māori ways of being and doing are recognised and supported.
What might this look like?	As a Crown agency, Oranga Tamariki will be guided by the principles of the Treaty when working with Māori. The same applies to organisations who carry out services on our behalf. Section 7AA sets out the Ministry's additional practical commitments to the Treaty. This includes the commitments under s7AA(2)(b) that Oranga Tamariki services must have regard to the mana tamaiti and whakapapa of tamariki Māori and the whanaungatanga responsibilities of whānau, hapū and iwi. The commitment for Oranga Tamariki to reduce disparities by setting measurable S7AA(2)(a) also applies to this policy. Meeting these

	<p>commitments will be measured through the mana tamaiti objectives.</p> <p>Our procurement processes will include evidence of how the service, commissioning process and procurement process intend to meet and support the Ministry's obligations, including the section 7AA commitments, to the principles of the Treaty.</p> <p>Oranga Tamariki's approach to quality assurance aims to ensure we meet our obligations under section 7AA (2)(a) and (b) of the Oranga Tamariki Act 1989 and standard Treaty of Waitangi principles (applicable to all Crown agencies) in the development of our policies, practices and services.</p> <p>Our procurement processes will include evidence of how the service, commissioning process and procurement process are meeting the appropriate Quality Assurance Standards and, in particular, which of the mana tamaiti objectives the service will meet, and the indicators or measures of success that are expected to be seen.</p>
PUAWAITANGA We seek the best possible outcome in procurement ¹	
Statement	<p>We will strive to make sure that the outcomes of a service will be reflected in several aspects: social, cultural, environmental and economic. Attention will be given to ways to measure not only the economic impact of the service but its social, environmental and cultural impacts for whānau, hapū and iwi, and all New Zealand. We will support puawaitanga by ensuring different outcomes are balanced in a way that provides for sustainability of the service for all parties. (the principle of tuhono).</p>
What might this look like?	<p>During the early commissioning and design phases for the service, we will consider the outcomes that need to be achieved, and the most appropriate way to understand progress towards meeting those outcomes.</p> <p>Through the procurement planning, we will establish criteria to ensure that the providers who deliver the services are able to support us in meeting those outcomes.</p>

The government procurement principles apply to all procurement and provide the foundations of good procurement practice. The five principles are:

- Plan and manage for great results
- Be fair to all suppliers
- Get the right supplier
- Get the best deal for everyone
- Play by the rules.

¹ Adapted from Durie, M. H. (2002). The Business Ethic and Maori Development. Maunga Tu Maunga Ora: Economic Summit 2002, 21 March 2002. School of Maori Studies, Massey University Auckland, New Zealand.

Our values will help us to determine the right approach to procuring new (or continued) social services for tamariki and whānau. We will then test the preferred approach against the rules and guidance, undertaking procurement in line with the principles.

Improving outcomes for tamariki Māori, whānau, hapū and iwi

Oranga Tamariki is committed to improving outcomes for tamariki Māori and their whānau. This will be achieved through meeting the principles of te Tiriti o Waitangi (the Treaty of Waitangi) and our new legislative obligations under [section 7AA](#). Section 7AA commits the Ministry to ensure that:

- policies and practices that impact on the wellbeing of tamariki have the objective of reducing disparities by setting measurable outcomes for tamariki Māori;
- our policies, practices and services have regard to mana tamaiti and whakapapa of tamariki Māori and the whanaungatanga responsibilities of whānau, hapū and iwi;
- we seek to develop strategic partnerships with iwi and Māori organisations
- we report annually on how we are carrying out our obligations under section 7AA.

We recognise that Oranga Tamariki will have a special relationship with iwi and Māori organisations. Oranga Tamariki will engage directly with iwi and Māori organisations to:

- recognise the unique role that they can play in supporting tamariki and whānau to achieve their goals;
- support tamariki Māori to be connected to their culture and whakapapa, including their whanaungatanga obligations towards their whānau, hapū and iwi
- seek their specific views on how we can support tamariki Māori to achieve their goals.

The mana tamaiti objectives are critical for ensuring our procurement supports Treaty commitments

To support our commitments under section 7AA, Oranga Tamariki has set five mana tamaiti objectives:

1. Ensure the participation of tamariki, whānau, hapū and iwi in decisions affecting them at the earliest opportunity to enhance their wellbeing and safety.
2. Support, strengthen and assist whānau Māori to care for their tamaiti or tamariki to prevent the need for their removal from home into care or a Youth Justice response.
3. If removal from home is necessary, Oranga Tamariki will preference placements for tamariki Māori (including their siblings) with members of their wider whānau, hapū, iwi or family group who are able to meet their needs, including for a safe, stable and loving home.

4. Support tamariki Māori in the custody of the Chief Executive to establish, maintain or strengthen their sense of belonging through cultural identity and connections to whānau, hapū and iwi.
5. Support, strengthen and assist tamariki Māori and their whānau to prepare for their return home or transition into the community.

These objectives guide the development of policies, practices and services across Oranga Tamariki.

The Ministry has developed, and will continue to develop, measures that sit under the mana tamaiti objectives (the mana tamaiti objectives). Broadly, the mana tamaiti measures will show the results of the work Oranga Tamariki is doing, including with partners/providers, to improve outcomes for tamariki and rangatahi Māori.

Specific to procurement, the measures will indicate the success of this policy², and the services it procures, by showing how the procured service is supporting:

- the achievement of the mana tamaiti objectives
- outcomes that have the aim of reducing disparities for tamariki and rangatahi Māori, based on the achievement of the mana tamaiti objectives
- the mana tamaiti and whakapapa of tamariki Māori and the whanaungatanga responsibilities of their whānau, hapū and iwi.

We will be placing value on partners who can help us to achieve these objectives.

Oranga Tamariki has other mechanisms to support our Treaty obligations

Our [Māori Cultural Framework](#) recognises that working in partnership with Māori will be inherent throughout all of the social service procurements undertaken by Oranga Tamariki.

To ensure that we meet our commitments under section 7AA (2)(a) and (b) of the Oranga Tamariki Act 1989, and our broader Treaty obligations as a Crown agency, in the development of our policies, practices and services, Oranga Tamariki has set five quality assurance standards:

1. We uphold and protect Māori rights and interests
2. We hear and act on the voices of Māori
3. We ensure equity by reducing disparities for tamariki Māori and their whānau
4. We have regard to mana tamaiti, whakapapa and whanaungatanga
5. We value the Māori evidence base.

Reporting how procured services are supporting Oranga Tamariki Treaty obligations

In support of our legislative responsibilities under section 7AA(5) to report annually and publicly on the impacts and measures associated with section 7AA(2)(a) and (b), our procurement documents will include information on how the procurement and

² The support of the mana tamaiti objectives will be measured against all Oranga Tamariki policies.

subsequent contracts will meet the mana tamaiti objectives and the quality assurance standards.

Collaborative commissioning approaches

Our strategic commissioning approach recognises that procuring social services is very different from sourcing commercial products or services on the open market. For much of our procurement we intend to work closely with tamariki, whānau, hapū, iwi, Māori organisations and local communities to collaboratively develop service approaches to meet their needs. When this work gets to the procurement phase, it will often be most appropriate to employ collaborative rather than competitive approaches. In some cases we will be making joint procurement decisions with strategic, local or agency partners.

In many localities, we recognise there are a limited number of suitable organisations with the capacity and capability required to provide a service. For example, there may be a limited number of organisations with the ability to meet our mana tamaiti objectives, and therefore support us to meet our obligations to have regard to mana tamaiti, whakapapa and whanaungatanga for tamariki Māori. In these cases we will work closely with interested stakeholders to find ways to procure the service, while ensuring there are clear processes in place to deliver due diligence, probity and accountability.

We have an interest in ensuring that there is sufficient local capacity to deliver high quality services sustainably. We will work as necessary with communities to grow the breadth, scale and capability of available services.

Where we are confident that there are a number of capable organisations, our preference will be to support collaborative proposals that build on existing networks and resources to meet the outcomes and legislative requirements we are seeking to address. Where a suitable market exists and a collaborative proposal is not feasible, open and closed competitive approaches may be appropriate³.

Historically, traditional procurement processes have given rise to inequitable results for Māori providers. We are therefore seeking to improve all forms of our procurement processes to reflect strengths based approaches which align with Te Ao Māori. This includes allowing for open dialogue and innovative proposals, through a mixture of written form, verbal presentation, discussion and face-to-face korero.

We will identify the approach that best supports our over-arching purpose in which we strive to ensure that all tamariki are in loving whānau and communities where oraanga tamariki can be realised.

Appendix 1 describes procurement approaches we may typically use, with examples of when they are used. For each procurement process, we will plan for the result we are seeking by documenting the approach to be taken and the reasons for taking that approach. The appropriate decision makers will sign off on our procurement approach.

³ Refer Appendix 1 for common approaches to procurement

Related documents

- Government Procurement Rules, Principles, Charter and Guidance
- State Services Commission Standards of Integrity & Conduct
- Oranga Tamariki Outcomes Framework
- Oranga Tamariki Māori Cultural Framework
- Oranga Tamariki Conflict of Interest and Risk Management Policies
- S7AA Quality Assurance Standards

Taking a values-driven approach to procurement is a new approach and we are constantly learning how to do this better. This policy will be regularly reviewed to ensure that we are incorporating improvements learned from our processes.

For more information, or to comment on the policy, please contact procurement@ot.govt.nz

Policy owned by General Manager, National Operations, Partnering for Outcomes

Last updated: 14 July 2020

Due for review: 1 July 2021

Appendix 1 – Our common approaches to procurement

Procurement model	Description
Direct	
Opt-out procurement (opt-out of applying most government procurement rules)	<p>Under the Government Procurement Rules we can opt-out of applying most of the Rules when we are procuring certain public services, including health services, education services and welfare services.⁴</p> <p>We use an Opt-out procurement to allow us to apply a flexible sourcing process that may not fit within the conventions of the Government Procurement Rules. This could include when we wish to change our procurement approaches around the country to meet the needs of a particular region or community, or when we want to work jointly with one or more partners in a community to design and deliver a solution that meets the needs of tamariki in that community.</p> <p>An Opt-out procurement may be directly with one supplier (if appropriate), or involve an element of competition between partners (e.g. where multiple partners have the capacity and capability to deliver the outcomes sought).</p> <p>When doing an opt-out procurement, we will still conduct our procurement according to the Principles and other procurement good practice guidance. We will also seek the best public value over the life of the contract, which may include the outcomes in the Government Procurement Charter.</p>
Direct Source	<p>Direct Source approaches are those where our procurement is restricted to a single partner. We still make an assessment of the partner's capacity and capability to perform the work, and perform due diligence, prior to formally entering into a contract.</p> <p>Unless we are conducting a Direct Source under an opt-out procurement, it can only be used for contracts over \$100,000 if a valid Exemption to the Government</p>

⁴ There are additional circumstances where an opt-out may be appropriate. The full list is provided in [procurement rule 12](#). Some Rules still apply to opt-out procurements, particularly around protecting partners' confidential information, responding to complaints and maintaining records

	<p>Procurement Rules has been endorsed by the Procurement Board</p> <p>We may use a Direct Source approach when any of the below apply:⁵</p> <ul style="list-style-type: none"> – The contract is worth less than \$100,000 in total (however a closed competitive process should be considered, see below). – We have already run an Open procurement process in the past 12 months, and did not receive any responses that met our requirements. – Our pre-procurement planning and market analysis has conclusively demonstrated that there is only one partner who can deliver the services (this may be relevant to purchasing services for a particular geographic region or community). – We receive an unsolicited unique proposal which fulfils the definitions under the Government Procurement Rules and MBIE's Guide to unsolicited unique proposals. This could include if we receive an innovative proposal under section 7AA of our Act.
Competitive	
<p>Open (the Rules apply)</p>	<p>Openly advertised on GETS (www.gets.govt.nz) to all interested partners. Contracts worth over \$100,000 over the whole of their life.</p> <p>We use an Open approach when our analysis suggests that there are a number of organisations with the capacity and capability required to provide the service within the given timeframe – including organisations that can demonstrate an ability to reduce disparities for tamariki Māori and work with existing whānau, hapū, iwi and other community support networks.</p> <p>Where we do not have confidence that organisations will be able to reduce disparities for tamariki Māori and work with existing whānau, hapū, iwi and other community support networks (eg Pacific), we will actively seek to develop the capacity and capability of organisations using an alternative approach.</p>

⁵ There are additional exemptions for direct sourcing under the [procurement rules 14 and 57](#)

	<p>We will also use the Open approach if in consultation with our partners and local stakeholders we believe that an open and competitive approach is most appropriate in the circumstances.</p>
Multi-step (the Rules apply)	<p>A Multi-step approach involves inviting responses to a Registration of Interest and then shortlisting a number of partners who will be invited to respond to a full proposal.</p> <p>The Multi-step approach is a variant of the Open approach and requires the same tests to be applied. The Multi-step approach is used when a significant number of organisations are expected to submit proposals. We use the Multi-step approach to reduce the burden of the procurement process on partners and other stakeholders.</p>
Closed (exempt from open advertising, all other Rules apply)	<p>A Closed approach involves running a procurement exercise with a selected group of partners. Closed procurements are not advertised on GETS, but the general Rules of procurement do apply.</p> <p>We use a Closed approach when contracts are worth under \$100,000 over the whole of their life. This could be for a short term or localised contract. Consideration still needs to be given to the approvals process, which should reflect the total value. In most circumstances \$50,000 - \$100,000 purchasing should be competitive, seeking three written quotes. \$10,000 - \$50,000 purchasing should seek at least one written quote.</p> <p>We also use a Closed approach when we are testing an idea or concept prior to making a decision about a larger scale programme of work.</p>

All rationale for our chosen procurement method must be clearly and transparently documented. All of our key procurement documents are endorsed and approved by the Procurement Board⁶ and senior managers. The Board's role is to endorse and/or approve certain approaches to sourcing services⁷ and ensure our procurements comply with this policy and other applicable frameworks.

⁶ The Procurement Board is a formal body which includes a broad representation of key decision makers to ensure procurement decisions are robust and well aligned with our strategic intent

⁷ This includes the review and approval of all exemptions and opt-outs from open market processes where the whole-of-life cost is expected to exceed \$100,000

CONFLICTS OF INTEREST POLICY

At Oranga Tamariki we recognise that potential conflicts of interest can arise every day in our work. Declaring, discussing and managing these keeps us safe from perceptions or allegations of favouritism, undue influence or inappropriate conduct. It also fosters and maintains public trust and confidence in our integrity, in our people and in our decision-making.

Purpose

This policy outlines how the Ministry manages conflicts of interest. It covers:

- What a conflict of interest is
- How and when conflicts of interest should be declared
- The process for managing conflicts of interest.

It aligns with Oranga Tamariki values and is underpinned by:

- complying with the law and legislation, including our practical commitment to the Treaty of Waitangi under section 7AA of the Oranga Tamariki Act 1989
- the principles of the Treaty of Waitangi
- ensuring a healthy, safe and secure environment
- being a good employer
- acting in the Spirit of Service.

Scope

This policy applies to:

- Permanent, temporary and seconded employees
- Contractors (individuals, contractor staff, sub-contractors, or affiliated persons with third parties)

- Independent Members of Oranga Tamariki committees and boards
- External parties who have a relationship with Oranga Tamariki (e.g. Service Provider employees)
- People who do voluntary work with Oranga Tamariki.

This means we expect all those within the scope to understand and comply with this policy.

Key Definitions

Term	Definition
Conflict of interest	Any situation where your duties or responsibilities as an employee or office holder conflict, or could be seen to conflict, with some other interest you might have outside of work.
Personal or private interest	Any private and personal interests, roles, relationships, or activities that do not form part of your work with the Ministry.
Actual conflict of interest	An actual conflict between an employee's public duties and their personal or private interests.
Potential conflict of interest	Any personal or private interests that have the potential to turn into a conflict of interest which could conflict with their public duties.
Perceived conflict of interest	Any personal or private interests that could or appear to improperly influence an employee's decisions or actions, now or in the future.
Financial conflicts of interest	Any situation where you stand to gain or lose financially from a decision you are asked to make. Financial interests might be direct or indirect. There are also situations where you might be deemed to share the same financial interests as another person or organisation. For example, you might be deemed to share any financial interests your spouse or partner has, or those of any business you are involved in.
Non-Financial conflicts of interest	Any situation where you are not affected financially by a decision but are affected in some other way that might make you biased or appear to be biased. A non-financial conflict of interest might arise, for example, from a family relationship, friendship, or any other sort of personal relationship. Non-

	financial conflicts can also arise if you are a member of, or involved with, an organisation outside of your work.
Conflict of roles	Any situation where you are a decision-maker for two different organisations about the same matter.
Predetermination	<p>Any situation where you are making a decision about something and there is a risk that people will think you made up your mind before you considered all of the evidence.</p> <p>Suggestions of predetermination usually arise because of something you have previously said or done.</p>
Management Plan	A documented record that exists between the Manager and staff member which outlines the conflict and the steps put in place to manage and monitor it where appropriate. It also includes a timeframe for review.
Potential conflicts created by the possession of official information	Using information acquired in an official capacity for the personal benefit of that official or another. This is an offence under section 105A of the Crimes act 1961.
Common (judge-made) law rules	<p>Conflicts of interest are regulated under the common law, which states that all public decision-making must be procedurally fair, including being free from the taint of bias and predetermination. The common law's rule against bias has two main goals:</p> <ul style="list-style-type: none"> • First, it ensures that the best decision is made based on relevant information and arguments, not ulterior motives or prejudices. • Secondly, it ensures that people affected by, or interested in, a decision have trust and confidence in the process – meaning they are more likely to accept a decision once it is made. <p>The rule against bias operates both to avoid actual bias and to avoid any appearance of bias. The principle is that justice should not only be done but it should also be seen to be done.</p>

Policy Statements

Our approach to managing conflicts of interest

At Oranga Tamariki:

1. ***Having interests is ok we just need to talk about them and where appropriate declare and manage them*** - We are a large and diverse Ministry that seeks to build positive working relationships with all those we interact and work with. We are also a Ministry with staff by the nature of their work that need a broad set of relationships in the areas they work. This involves staff working directly within their own regions and communities and closely with tamariki, rangatahi and whānau they may know in some way or are connected. We recognise in these instances that conflicts of interest may arise that cannot always be avoided. The key is to recognise when you have a conflict of interest and talk your manager about them when they arise so they can support and manage it with you
2. ***Interests can create risks for you and the Ministry if they are not declared or managed appropriately*** – Our Code of Conduct talks about the employment relationship being built on trust and transparency. This means all staff must fully and openly declare any interests that could be perceived as a conflict with their manager as soon as they become aware of them, and managers must discuss and manage them with you in a timely manner as well as provide you with guidance and support. This is important as the risk of not declaring interests is that it could be perceived by others as an attempt by you to conceal it and may lead to your integrity being called into question as well as undermining the public trust and confidence in Oranga Tamariki
3. ***Perception is often as important as reality*** - Be aware of perceptions or how things look as these can affect trust, behaviour and reputation as perceived conflicts are often as risky as actual conflicts, and you need to take just as much care to identify and declare them so that they can be managed. Think about how your actions might look to someone outside your team or the Ministry. Consider what activities you do that could be susceptible to conflicts of interests and how you manage them. Also consider how you demonstrate Oranga Tamariki values and integrity, impartiality, accountability, trustworthiness, respect and responsiveness in your duties and decision making

Identifying and managing conflicts of interest

At Oranga Tamariki:

4. We all play a part in protecting the reputation of the Ministry by considering how conflicts of interest might be perceived. This means we all have a duty to ensure that our personal or private interests do not affect the way we carry out our work and that we put the public interest above our personal or private interests when carrying out our work. All staff are responsible for declaring any actual, potential conflicts of interest and all managers are responsible for managing them.
5. All senior managers, including Committee, Panel and Board members, will provide leadership and set the example in identifying and disclosing and discussing any interests relevant to their work, given the nature of their positions and their level of influence on decisions about matters of public significance or value.
6. When working with other stakeholders, including contractors, consultants and service providers, we will communicate expectations, identify potential conflict of interest areas before any contract starts, and develop and document appropriate responses to manage risks to all parties in a potential conflict situation.
7. There are in processes in place to ensure actual and potential conflicts of interest are declared by candidates as part of the pre-selection process with expectations relating to conflicts of interest being explicitly referred to and recorded in contractual agreements.
8. There are processes in place for employees to speak up and raise concerns about how the Ministry is managing their declared conflict of interest. There are also processes in place for employees to speak up and raise concerns about wrongdoing, including suspected misconduct in relation to disclosure/non-disclosure of interests or the management of declared interests.
9. We will enter into a disciplinary process where there are concerns regarding an employee's conduct around conflicts of interest in circumstances where low level or informal resolution is not appropriate. For example, any employee who deliberately engages in and/or fails to disclose their involvement in an activity or commitment that is or may constitute a conflict of interest.
10. We will report any conflict of interest suspected to involve criminal activity to the Police and/or the Serious Fraud Office.

Related Procedures and Guidance

Additional information that supports this Policy can be found in:

Refer to Procedure on *How to declare a Conflict of Interest*

- [SSC Conflicts of Interest Model Standards](#)
- <https://oag.parliament.nz/2020/conflicts>.

Key Accountabilities and Responsibilities

The key roles and responsibilities relating to this policy are outlined in the table below.

Role	Responsibilities
Leadership Team	<ul style="list-style-type: none"> • Lead and promote the Ministry exercising a high standard of judgement in relation to reporting and managing conflicts of interest • When a conflict of interest is suspected to involve criminal activity, ensure that the Ministry reports the matter to the Police or Serious Fraud Office • Act in line with the conflicts of interest policy and procedure where any instances arise including their own.
Deputy Chief Executives	<ul style="list-style-type: none"> • Oversee their Group's conflicts of interest and provide assurance to the Chief Executive that they are being identified and managed in line with the conflicts of interest policy and procedure.
All managers	<ul style="list-style-type: none"> • Talk to staff about their conflicts of interest and provide guidance and support where required • Manage and monitor active conflicts of interest in a timely manner • Ensure that the declarations and decision documentation (management plans) relating to interests declared by your staff are complete, sufficient, transparent, can withstand scrutiny, and are stored centrally and easily located • Have yearly conflict of interest conversations with each staff member.

Role	Responsibilities
Human Resources	<ul style="list-style-type: none"> • Provide advice to Managers on options to manage a conflict of interest disclosure to ensure that all conflicts are managed in accordance with this policy and procedure.
Recruitment Panel Member	<ul style="list-style-type: none"> • Declare any possible conflict of interest before any recruitment begins.
Staff involved in procurement activities	<ul style="list-style-type: none"> • Declare any possible conflict of interest before any procurement work begins.
All staff	<ul style="list-style-type: none"> • Be aware of and comply with the conflicts of interest policy and procedure • Declare any interests as soon as they arise • Advise your Manager of any change of circumstances relating to any current or potential conflict of interest situations • Cooperate with any management plan that your Manager puts in place to ensure that the conflict of interest is properly managed • If moving to a different area/role, advise your new supervisor or one up Manager of your declared conflicts of interest including a copy of any existing management plan • Seek advice if you have a question or are unsure about a conflict of interest • Speak up if there is a concern about a conflict of interest either not being declared or not being managed well.
Policy owner	<ul style="list-style-type: none"> • Promote the policy through appropriate channels to ensure staff are aware of the policy • Ensure any possible policy breaches are dealt with appropriately • Ensure policy is reviewed at least every three years to ensure the policy remains fit for purpose for the organisation.

Monitoring and Assurance

Measures of Success

This policy will be monitored by the General Manager, Corporate Services for effectiveness. Measures of the success of this Policy are:

- All declared conflicts of interest are recorded
- Management plans for these have been agreed and documented, are in place and are monitored and reviewed in accordance with agreed timeframes
- Managers are aware of their responsibilities and have yearly conflict of interest discussions with each employee.

Policy Owner: General Manager, People and Capability, Corporate Services

Policy Sponsor: Deputy Chief Executive, Governance and Engagement

Last updated: February 2021

Due for review: February 2023

PROCUREMENT POLICY

Procurement is the process that public organisations use to acquire and manage goods and services. It's important that New Zealanders get the best possible outcomes from public spending on these goods and services (Office of the Auditor General).

Procurement covers all the business processes associated with purchasing goods, services and assets we use to run our business and deliver our public service objectives. Procurement starts with identifying our needs, then planning the best way to meet them; continues through sourcing then managing the contract; and ends with expiry of either the contract or the asset's useful life.

At Oranga Tamariki we are committed to ensuring all procurement supports our vision and values putting "tamariki and whānau at the centre of the system, we will build required levels of trust and capability, alignment, and transparency to achieve authentic and genuine partnership and participation, including the participation of tamariki and rangatahi".

It is Oranga Tamariki's aim to procure goods, services and assets in accordance with these principles (Office of the Auditor General):

- **Accountability** – Public organisations should be accountable for their performance and be able to give complete and accurate accounts of how they have used public funds, including funds passed on to others for particular purposes. They should also have suitable governance and management arrangements in place to oversee funding arrangements.
- **Openness** – Public organisations should be transparent in their administration of funds, both to support accountability and to promote clarity and shared understanding of respective roles and obligations between organisations and any external parties entering into funding arrangements.
- **Value for money** – Public organisations should use resources effectively, economically, and without waste, with due regard for the total costs and benefits of an arrangement, and its contribution to the outcomes the entity is trying to achieve. Where practical, this may involve considering the costs of alternative supply arrangements.
- **Lawfulness** – Public organisations must act within the law and meet their legal obligations.
- **Fairness** – Public organisations have a general public law obligation to act fairly and reasonably. Public organisations must be, and must be seen to be, impartial in their decision-making. Public organisations might also at times need to consider the imbalance of power in some funding arrangements, and whether it is significant enough to require a different approach to the way they conduct the relationship.
- **Integrity** – Anyone who is managing public resources must do so with the utmost integrity. The standards applying to public servants and other public employees are clear, and public organisations need to make clear when funding other organisations that they expect similar standards from them.

New Zealand Government Procurement and Property (NZGPP) has a comprehensive set of rules that Oranga Tamariki must adhere to. The Government Procurement Rules can be reviewed by clicking on the [NZGPP Rules](#) link.

The Procurement Policy aligns with Oranga Tamariki values and is underpinned by the guiding principles of:

- we put tamariki first
- we hold ourselves to a high standard of ethical behaviour when spending public money
- we ensure expenditure is in line with Oranga Tamariki core services and strategic priorities
- we take a 'best for Oranga Tamariki and wider [Government approach](#)'
- we make decisions in line with internal policies and within our delegated authority. These are here to protect us and allow us to exercise our delegation with confidence and clarity; and
- we take a long-term view of investments to get best value.

This policy does not cover:

- Acquisition or disposal of property
- Recruitment and employment related decisions except for contractors and consultants

This policy also covers “ICT” related procurement. [However detailed “ICT” specific policies and guidelines will be published in the first quarter of 2024.](#)

Purpose

This document is Oranga Tamariki’s statement of procurement policy to guide all those involved in any procurement activity to achieve the desired outcome whilst fulfilling Government and Oranga Tamariki imperatives. The Procurement Policy is supported by processes and procedures.

Scope

This policy applies to all procurement including commercial and social services. Social Services Procurement also has specific guidelines that can be found on Te Pae or click [here](#).

For all ICT procurement and commercials, business units need to engage Technology and Channels team via Procurement_TechandChannels@ot.govt.nz.

Products, services and assets related to Information Technology, Digital, Data and Information, digital channels, software licenses and technology hardware are referred to as “ICT” in this document with a detailed list in the last section. The Chief Technology officer is accountable for procurement, support and commercials of “ICT” components.

The policy applies to:

- Permanent, temporary and seconded employees
- Contractors (individuals, contractor staff, sub-contractors, or affiliated persons with third parties)
- Independent Members of Oranga Tamariki committees and boards
- External parties who have a relationship with Oranga Tamariki (e.g. Service Provider employees)
- People who do voluntary work with Oranga Tamariki.

This means all those within the scope must understand and comply with this policy.

Oranga Tamariki Procurement

The way goods, ICT products and/or services are bought will vary depending on the value, complexity, risk involved and whether they are for social service or commercial requirements. The Procurement team will apply the approach best suited to the individual purchase, within the framework of the Rules and Principles (see below). Procurement of services related to “ICT” will be managed by the Technology and Channels team.

We must demonstrate high ethical standards based on honesty, integrity and transparency in all our procurement.

Procurement activity must be conducted in a manner which ensures we maintain a reputation of being fair, transparent and unbiased towards suppliers through sound and robust record keeping.

All Government procurement is guided by five principles:

Plan and manage for great results <ul style="list-style-type: none"> Identify what you need, including what broader outcomes should be achieved, and then plan how to get it. Set up a team with the right mix of skills and experience. Involve suppliers early – let them know what you want and keep talking. Take the time to understand the market and your effect on it. Be open to new ideas and solutions. Choose the right process – proportional to the size, complexity and any risks involved. Encourage e-business (for example, tenders sent by email) 	Be fair to all suppliers <ul style="list-style-type: none"> Identify what you need, including what broader outcomes should be achieved, and then plan how to get it. Set up a team with the right mix of skills and experience. Involve suppliers early – let them know what you want and keep talking. Take the time to understand the market and your effect on it. Be open to new ideas and solutions. Choose the right process – proportional to the size, complexity and any risks involved. Encourage e-business (for example, tenders sent by email). 	Get the right supplier <ul style="list-style-type: none"> Be clear about what you need and fair in how you assess suppliers – don’t string suppliers along. Choose the right supplier who can deliver what you need, at a fair price and on time. Choose suppliers that comply with the Government’s Supplier Code of Conduct. Build demanding, but fair and productive, relationships with suppliers. Make it worthwhile for suppliers – encourage and reward them to deliver great results. Identify relevant risks and get the right person to manage them.
Get the best deal for everyone <ul style="list-style-type: none"> Get best public value – account for all costs and benefits over the lifetime of the goods or services. Make balanced decisions – consider the possible social, environmental, economic effects and cultural outcomes that should be achieved. Encourage and be receptive to new ideas and ways of doing things – don’t be too prescriptive. Take calculated risks and reward new ideas. Have clear performance measures – monitor and manage to make sure you get great results. Work together with suppliers to make ongoing savings and improvements. It’s more than just agreeing the deal – be accountable for the results. 	Play by the rules <ul style="list-style-type: none"> Be accountable, transparent and reasonable. Make sure everyone involved in the process acts responsibly, lawfully and with integrity. Stay impartial – identify and manage conflicts of interest. Protect suppliers’ commercially sensitive information and intellectual property. 	

Oranga Tamariki also supports and actively pursues other government initiatives, including: **Progressive procurement** “powering up the Māori economy” with targets that include minimum number of contracts with Māori businesses. For the latest targets follow [this link](#) to the NZGPP website.

Where iwi, mana whenua and/or communities have recommended Māori suppliers for particular mahi Oranga Tamariki will conduct due diligence and engage those suppliers whenever appropriate.

Broader Outcomes these are the secondary benefits that are generated from the procurement activity. They can be environmental, social, economic or cultural benefits (Government Procurement Rules). More information can be found in [Rule 16 of the Government Procurement Rules](#). The Procurement team will ensure broader outcomes are part of all procurement considerations.

Good procurement practice ensures our resources are utilised in the most efficient and effective manner to provide the best possible outcomes for everyone.

Role of the Procurement team

The Procurement team is aware of, and must ensure Oranga Tamariki complies with, all applicable legislation, rules and principles, including internal policies.

The role of Procurement team is to:

- provide advice, governance, and support for all procurement activities
- manage sourcing initiatives and supplier relationships
- provide guidance and assistance to comply with this policy
- update this policy from time to time to ensure alignment with Oranga Tamariki, government policy and best practice.
- For the procurement of products, services and assets related to “ICT”, the Technology and Channels team is responsible for the above roles and responsibilities, managing supplier relationships and the end-to-end processes.

Policy Statements

- All procurement must be discussed with the Procurement team or Technology and Channels before any actions are taken. The procurement team will advise the most appropriate course. The exception is when you are purchasing off an existing contract, for example stationery.
- All procurement of products, services and assets related to ICT must be via engagement with the Technology and Channels team.
- Only those with delegated financial authority (DFA) are permitted to commit Oranga Tamariki to a purchase. At all times there will be a separation of requester and approver duties i.e. no person can approve their own purchase request
- [Conflicts of interest](#) are often unavoidable in New Zealand. However, all conflicts, real or perceived, must be declared and managed appropriately
- When evaluating suppliers to engage the suppliers’ ability to support [Broader Outcomes](#) and [Progressive Procurement](#) must be considered
- Should you wish to go outside any of the above priorities a full exemption must be applied for (see below for the exemption process). Procurement will assess the grounds for exemption and if appropriate will submit for approval.
- All contractor and consultant engagements must come through the Procurement team except for “ICT” related roles.

IN-CONFIDENCE

- All contractors must be engaged with an AoG recruiter 'payroll only' service and include Professional Indemnity insurance (at the contractors' expense)
- The AoG recruiter will be engaged via a Talent Service Order (TSO) using the Talent Acquisition Services Contract.
- Wherever possible consultants should be engaged via the various AoG consultancy panels, if not an exemption must be sought. The document of engagement e.g. Consultancy Services Order (CSO) that is listed for each panel must be used
 - All consultants must have suitable professional indemnity insurance
- All contracts and records of engagement must be saved in the Procurement team's central repository except purchase orders generated by the various Oranga Tamariki systems
- Where the procurement is for ICT as described above, procurement documentation and contract documentation will be managed by the Technology and Channels team.
- The Chief Financial Officer (CFO) is the only person who can approve exemptions to the procurement policy and processes.

Scope of "ICT" procurement

"ICT" procurement includes Information technology, Digital, Data and Information, digital channels, software licenses and technology hardware related products and services:

- Technology Products and Services,
- Integration with Existing or new ICT Systems,
- A connection to an IT system (or network) or an extraction of data from any IT systems,
- Software Licenses purchases and subscription renewals,
- Software development and Maintenance,
- ICT Hardware purchases,
- Networking equipment,
- Artificial intelligence,
- Cloud computing,
- Telecommunications services,
- Cyber Security services,
- Computers and Laptops,
- Servers,
- Software Applications,
- Networking Equipment,
- Mobile Devices,
- Storage Solutions,
- Uninterruptible Power Supply (UPS) devices required for ICT services,
- Hardware related to physical security,
- Contracted services such as outsourced or managed ICT services, and;
- Any resulting ICT Vendor Relationships and contracts.

• Key Definitions

Term	Definition
Consultant	<p>A consultant is a professional entity or self-employed individual engaged to provide specialist or professional advice using their own assets and resources.</p> <p>Consultants generally:</p> <ul style="list-style-type: none"> • work offsite, but may be required to work onsite from time to time • carry the risk of payment being withheld if the piece of work is not delivered/ not fit-for-purpose • provide expertise in a particular field and can demonstrate relevant skills and expertise not readily available from within the agency <p>invoice by project/ piece of work or for delivering certain milestones.</p>
Contract Management	<p>Activities directed to ensuring the parties, Oranga Tamariki and the supplier, meet the objectives and commitments of the contract. These activities include supplier relationship management, measuring key performance indicators (KPI) and service level agreements (SLA), reporting, new ideas and performance improvement. Contract administration which includes variations, roll over dates, etc is part of contract management</p>
Contractor	<p>A contractor is a company or self-employed individual engaged to carry out tasks that might otherwise be carried out by an employee, except that the time or skills are currently not available from existing personnel or acts as an additional resource on a time-limited piece of work. Contractors work on our premises, alongside our staff, using our assets, and are under Oranga Tamariki's direct supervision.</p> <p>Contractors generally:</p> <ul style="list-style-type: none"> • require access to Oranga Tamariki IT systems to perform their duties and usually work onsite • charge on a time unit basis (by the hour or day) • are engaged on a contract for service, either directly or via a third party, and is not an employee • paid upon provision of a GST invoice through their own entity or third-party recruitment agency • are engaged via a Recruitment Service Order or a Government Model Contract.
Exemption	<p>There may be a requirement to go outside Government and Oranga Tamariki rules in exceptional circumstances. The Procurement team will assess the grounds for exemption and if appropriate will submit for approval. In the case of ICT procurement, this assessment and submission will be made by the Technology and Channels team and approved by the CFO.</p> <p>Exemptions are approved at the discretion of the CFO.</p>

Term	Definition
Whole of life costs (WOLC)	All costs associated with the purchase from the time of recognising the need for the good/service and includes opex and capex, maintenance and support costs, operational costs, variations and end of life including disposal. See also Whole of Life Costs Guidance (treasury.govt.nz)

Related Procedures and Guidance

Additional information that supports this Policy can be found in:

- [Government Procurement Rules](#)
- [Financial Delegations](#)
- [Incidental Expenditure Payment \(IEP\) card policy](#)
- [Social Services Procurement Policy](#)
- [OAG Good Practice Procurement](#)
- [Conflicts of interest — Office of the Auditor-General New Zealand \(oag.parliament.nz\)](#)
- [Sensitive Expenditure Policy](#)
- [Gift Policy](#)
- [Koha Policy](#)
- [Travel Policy](#)
- [Fleet Policy](#)

Operational Responsibilities Corporate Procurement

The hierarchy of priority from where to procure:

- Oranga Tamariki's current contracts
- All of Government (AoG) contracts; if an AoG contract exists we must use it. Syndicated and Common Capability contracts are optional
- Other party contracts we are part of e.g. MSD
- Oranga Tamariki's commonly used suppliers where no formal contracts exist
- New suppliers via appropriate procurement processes. NB any/all new suppliers must be recommended by an appropriate procurement process and the [correct documentation](#) completed and submitted to the Financial Services Centre (FSC) at supplier_maintenance@ot.govt.nz
- Engagement with preferred suppliers such as within the DIA Marketplace, 'all of government (AoG) suppliers and contracts, and any secondary procurement from within the AoG panel for "ICT" related services, will be managed by the Technology and Channels team.
-

Oranga Tamariki has the following [Financial boundaries](#) - all costs are whole of life costs (WOLC) (refer to Definitions, below):

- <\$250 IEP card
- <\$50,000 at least one written quote must be sought. To ascertain value more than one is preferred
- >\$50,000 three written quotes must be sought
- >\$100,000 means an open competitive process advertised on the Government Electronic Tenders Service (GETS). AoG contracts offer variations to the open tender, please consult with Procurement

All purchases, except IEP cards, must be accompanied by a Purchase Order (PO).

The key roles and responsibilities relating to this policy are outlined in the table below.

Role	Responsibilities
All staff/Requesters	<ul style="list-style-type: none"> • Contact Procurement corporateprocurement@ot.govt.nz • Confirm budget and approval to go ahead with appropriate DFA • Provide information about the purchase i.e. why required, desired outcomes, rationale for exemption (if seeking exemption) • For ICT related procurement, please contact Procurement_TechandChannels@ot.govt.nz.
Procurement team OR Technology and Channels for ICT related Procurement	<ul style="list-style-type: none"> • Advise process and lead documentation development • Draft Project Initiation Brief (PIB) – akin to Procurement Plan • Send documents to appropriate Manager/DFA for review and approval • Run/manage processes • Lead contract negotiation and implementation with Business support
Managers/DFA	<ul style="list-style-type: none"> • Confirm purchase is required and budget is available • Review and approve documentation

Role	Responsibilities
Deputy Chief Executives and Chief Financial Officer	<ul style="list-style-type: none"> Review exemptions and recommend course of action Review risks (political, financial and strategic) and mitigating processes
Chief Financial Officer	<ul style="list-style-type: none"> Approve exemptions to policies and processes

Exemption Process

Exemptions to proper processes should be the exception. However, it is acknowledged that in [certain circumstances](#) an exemption is justified. If you think an exemption is appropriate:

- Contact the Procurement team or team or Technology and Channels for “ICT” related procurement
- Outline what you are buying, why and why you think an exemption is required. Note a lack of planning or something required quickly is not justification for an exemption
- If appropriate Procurement will draft a PIB seeking the exemption
- PIB supported by DFA holder in the business unit
- PIB submitted to CFO
- Complete approved procurement process

Note: exemptions may not be approved. Do not engage potential suppliers before an exemption is approved.

Monitoring and Assurance

Measures of Success

This policy will be monitored by Chief Financial Officer for effectiveness. Measures of the success of this Policy are:

- All procurement meets Government and Oranga Tamariki rules or is appropriately exempted

Policy Owner: Chief Financial Officer

Policy Sponsor: DCE PCE

Last updated: 7 May 2024

Due for review: 7 May 2026

Disclosure of Interest Policy

February 2025

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1. Objective

- 1.1 The Disclosure of Interest Policy outlines how Oranga Tamariki (the Ministry) ensures that any conflicts of interest are identified, disclosed, and resolved or managed in a timely and effective manner. This policy aligns with Oranga Tamariki values and is underpinned by our practical commitment to the principles of the Treaty of Waitangi. It should be read in conjunction with the Disclosure of Interest Standard Operating Procedure and the Code of Conduct.

2. Scope

- 2.1. This policy applies to all:
- Employees of Oranga Tamariki (permanent, fixed term/temporary, casual and seconded).
 - Consultants and contractors including individuals, contractor staff, sub-contractors, or affiliated persons with third parties (including service providers that have access to CYRAS).
 - Members including independent members of an Oranga Tamariki committees, boards, panels, advisory groups, governance groups, steering group or roopu;
 - Volunteers who work without reward and provide services to Oranga Tamariki or to tamariki or rangatahi in the care or custody of the Chief Executive.
- 2.2. The term 'individual' in supporting information refers to all those above. This means we expect all those within the scope to understand and comply with this policy.

3. Policy Statements

- 3.1 **Declarations are to be made when interests arise** – all individuals are responsible for formally declaring any actual, potential or perceived conflicts of interest to their manager prior to appointment (permanently or contracted) or as soon as they arise during their employment or engagement with the Ministry.
- 3.2 **All registered interests will have a management plan** - Oranga Tamariki commits to developing a reasonable and practical management plan alongside the individual to ensure any risks due to an interest are effectively managed to protect both the individual and the organisation.
- 3.3 **Interests are managed in myHR&Pay** - all individuals must submit, review and update a disclosure of interest when they start employment or engagement with Oranga Tamariki, annually and as they arise, regardless of whether they have anything to declare. Potential interests are to be resolved between the individual and their manager with a management plan and updated disclosure of interest form.
- 3.4 **All employees must declare all interests annually** - All Oranga Tamariki permanent, fixed term/temporary, casual and seconded employees are required to submit an annual declaration of interests and/or updated current interests within the month leading up to the deadline of 31st March each calendar year. This includes a declaration that there are no current interests.
- 3.5 **Managers must lead by example** – All senior managers, including Committee, Panel and Board members, will provide leadership and set the example in identifying, disclosing and discussing any interests relevant to their work, given the nature of their positions and their level of influence on decisions about matters of public significance or value.

- 3.6 **If in doubt, declare** – If an individual is uncertain whether or not a situation constitutes an actual, potential or perceived conflict of interest, they should discuss this with their manager. If in doubt, declare.
- 3.7 **Service providers must register their interest** – The Disclosure of Interest Policy enables Oranga Tamariki and our service providers to demonstrate integrity and fairness in our actions and decision-making. By openly acknowledging interests, we can ensure that any actual, potential, or perceived conflict is identified and managed in a manner that aligns with our values. When working with other stakeholders, including contractors, consultants, and service providers, managers are required to communicate expectations, identify potential conflict of interest areas before any contract starts, and develop and document appropriate responses to manage risks to all parties in a potential conflict situation.
- 3.8 **Disclosure requirement** – Any employment activity, interest or association that arises in the course of employment or engagement with the Ministry and could in any way conflict with Oranga Tamariki business must be disclosed prior to it commencing. This includes, but is not limited to, anything that may:
- Conflict with an individual's duties (e.g. a therapist employed by Oranga Tamariki also provides their service to Oranga Tamariki clients independently outside of their employment with the Ministry)
 - Compromise an individual's duties (e.g. an employee is part of an interview panel which might interview a relative or friend).
 - Impact an individual's financial position.
 - Impair performance (e.g. working at a second job or as a volunteer that may result in being too tired to undertake the normal duties of their Oranga Tamariki role).
 - Compromise an individual's integrity (e.g. being in a management position over a partner/spouse or relative).
 - Compromise an individual's political neutrality (e.g. standing for election, or an association with a Member of Parliament).
- 3.9 **Concerns about declared conflicts of interest can be raised through Speak Up** - Individuals can raise concerns about how the Ministry is managing their declared conflict of interest through Speak Up channels. There are also processes in place for individuals to speak up and raise concerns about wrongdoing, including suspected misconduct in relation to disclosure/non-disclosure of interests or the management of declared interests.
- 3.10 **Concerns about undisclosed interests can be raised through a Protected Disclosure** - Any individual concerned about an undisclosed interest may make a Protected Disclosure under the Protected Disclosures (Protection of Whistleblowers) Act 2022. For more information refer to the Oranga Tamariki Protected Disclosures Whistle Blowing Policy.
- 3.11 **All declared information will be securely contained** - Personal information contained within the Disclosure of Interest Register will be used strictly as necessary to appropriately manage conflicts of interest and in all events, be used, stored and disclosed in accordance with the Oranga Tamariki Privacy Policy, the Disclosure of Interest Standard Operating Procedure, and the Privacy Act 2020.

4. Values

4.1 Our Disclosure of Interest arrangements align with our values:

- We are tika and pono - by establishing clear expectations and promoting accountability, this policy ensures transparency and effective management of conflicts of interest, enabling us to work collaboratively with our service providers to support tamariki and rangatahi.

5. Accountabilities

5.1 The General Manager, People and High Performance has overall responsibility and accountability for the implementation of, and monitoring compliance with, this policy.

6. Roles and responsibilities

Role	Responsibility
Chief Executive	<ul style="list-style-type: none"> • Lead and promote the Ministry exercising a high standard of judgement in relation to reporting and managing conflicts of interest. • Oversee Te Riu disclosure of interests and ensure that they are being identified and managed in line with the Disclosure of Interest Policy and Standard Operating Procedure. • Approves this policy
Deputy Chief Executive – People, Culture, and Enabling Services	<ul style="list-style-type: none"> • Sponsors the policy. • Ensures the policy is implemented and monitored.
Te Riu	<ul style="list-style-type: none"> • Recommend to the Chief Executive to approve any material changes to this policy. • Overall responsibility for managing risk related to the disclosure of interests and for ensuring that effective processes and monitoring are in place in each of their Business Groups to meet compliance obligations under this Policy. • Oversee their Group's disclosure of interests and provide assurance to the Chief Executive that they are being identified and managed in line with the Disclosure of Interest Policy and SOP. This assurance will include updates on high-risk disclosures brought to their attention by managers in consultation with the individuals and confirmation that appropriate management actions have been implemented.
General Manager, People and High Performance	<ul style="list-style-type: none"> • Promote the policy through appropriate channels to ensure individuals are aware of the policy. • Ensure any possible policy breaches are dealt with appropriately. • Ensure policy is reviewed at least every three years to ensure the policy remains fit for purpose for the Ministry. In

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	accordance with collective agreements, unions should be consulted in the review of this policy.
People and High Performance	<ul style="list-style-type: none"> • Provide advice to managers on options to manage a disclosure of interest to ensure that all conflicts are managed in accordance with this policy and SOP. • Monitor employment associated conflicts of interest and refer other conflicts of interest to the relevant business unit.
Recruitment	<ul style="list-style-type: none"> • Individuals who participate on recruitment/selection panels must disclose any actual, potential or perceived conflict of interest to the recruitment team as per the Ministry's Recruitment and Selection Policy. • The Recruitment team are responsible for ensuring an interest check is conducted for each recruitment activity.
Procurement	<ul style="list-style-type: none"> • Individuals involved in procurement activities must be familiar with the Office of the Auditor General's guidelines for managing conflicts of interest and Ministry's Procurement Policy and Social Services Procurement Policy before any procurement work begins. • Procurement Teams must maintain their own register of conflicts of interest and be able to report on these conflicts to ensure compliance with ethical standards and transparency as outlines in the Public Sector Commission Conflicts of Interest Model Standards and New Zealand Government Procurement guidelines.
Director Risk and Internal Assurance	<ul style="list-style-type: none"> • Report any conflict of interest suspected to involve criminal activity to the relevant external agency i.e. Police and/or the Serious Fraud Office.
Managers	<ul style="list-style-type: none"> • Lead and promote the Ministry exercising a high standard of judgement in relation to reporting and managing conflicts of interest. • Talk to individual about any interest and provide guidance and support where required. • Manage and monitor active interests in a timely, fair and transparent manner. • Ensure that the declarations and decision documentation (management plans) relating to interests declared by your staff are recorded in myHR&Pay, complete, sufficient, transparent and can withstand scrutiny. • Have yearly conversations with each team member about any current or new interests. • Act in line with the Disclosure of Interest Policy and procedure where any instances arise including their own.
Individuals	<ul style="list-style-type: none"> • Ensure they are familiar with this policy and any obligations they have under it.

	<ul style="list-style-type: none"> • Comply with this policy and the related conflict of interest procedures. • Formally declare and document any interests as soon as they arise. • Advise your manager of any change of circumstances relating to any current or potential interest situations. • Cooperate with any management plan that their manager puts in place to ensure that the interest is properly managed, and risks are mitigated. The process for developing this plan should involve the individual, ensuring their input is considered. It should also be clear how agreement on the plan is reached and who is involved. • If moving to a different area/role, advise their new supervisor and one up manager of their declared interest including a copy of any existing management plan. • Declare any gifts and koha received or given in accordance with Sensitive Expenditure Policy. • Ensure that where a conflict of interest exists that is unable to be resolved, they do not make or participate in Oranga Tamariki decisions relating to matters in which they have a personal interest. • Speak up if there is a concern about an interest either not being declared or not being managed well.
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7. Measures of success and compliance management

7.1 The policy owner will assess the effectiveness of this policy based on the following measures of success:

- All Oranga Tamariki permanent, fixed term/temporary, casual and seconded employees have a record in myHR&Pay in the Disclosure of Interest portlet.
- Management plans for these have been agreed and documented, are in place and are monitored and reviewed in accordance with agreed timeframes.
- Managers are aware of their responsibilities through regular communication about their obligations and by ensuring the annual disclosure of interest process is undertaken.

7.2 The policy owner will monitor compliance with the policy as follows:

- The People and High Performance team will monitor overall compliance with this policy and obtain feedback on its effectiveness.
- Recruitment and Procurement teams will monitor compliance with this policy within procurement activities.
- A central register to record breaches of the policy will be held by the policy owner.

7.3 Compliance information regarding the performance of this policy will be provided by the Policy owner to the Director Risk and Internal Assurance on a quarterly basis. Internal Assurance will audit procedures and will include review in the Audit Programme on a cyclical basis.

8. Non-compliance

- 8.1 Failure to comply with the Disclosure of Interest Policy or Standard Operating Procedures may equate to misconduct or serious misconduct, depending on the circumstances. Non-compliance may be dealt with in accordance with the Oranga Tamariki Disciplinary Policy (if the breach involves a Ministry employee) or as deemed appropriate by the Ministry and/or in accordance with any written contract for breaches by non-employees. Managers who failed to fulfil their responsibilities outline within the Disclosure of Interest Policy may be subject to Oranga Tamariki disciplinary processes. Breaches must be reported in accordance with Corporate Policy Requirements Policy.
- 8.2 The Oranga Tamariki Fraud and Integrity Team will report any conflict of interest suspected to involve criminal activity to the relevant external agency i.e. Police and/or the Serious Fraud Office.

9. Contacts

- 9.1 For questions and assistance in relation to this policy go to *Service Now > Human Resources > General Query*.

10. Definitions

- 10.1 In this policy the following definitions apply:

Term	Description
Interest	An 'interest' arises when an individual has a financial, familial or any other private/personal interest in a matter that could give rise to an appearance of bias.
Conflict of interest	A conflict of interest is a situation in which the activities of an individual outside their employment obligations lead, or may lead, to benefit to the individual concerned, either directly or indirectly (e.g. through a family member, associated entity, or external agency). It also includes situations which may create the perception of a conflict, even if no actual conflict exists. Conflicts of interest can be generally grouped into two categories: financial and non-financial.
Financial interest	Financial conflicts arise where a decision to act could reasonably give rise to an expectation of financial gain or loss to an individual. An individual who has a financial interest, directly or indirectly, in a matter related to the Ministry's role must declare the interest. Most commonly, this will arise where an individual has a financial interest in another person or entity that is involved in the matter (e.g. a shareholding in a related company). An individual shall not give advice nor participate in decisions relating to matters in which they have a financial interest.
Non-financial interests	A non-financial conflict of interest does not have a financial component. It may arise, for example, from a personal relationship, or involvement with a non-profit organisation, or conduct or beliefs that indicate prejudice or pre-determination. An individual who has a non-financial interest in a matter must declare the interest. This does not include, however, any interest

	which is so remote or insignificant so as not to influence the individual's decision making.
Friend	An individual who has a close personal connection with an individual. An individual must assess the significance of their personal connections to see whether a conflict of interest exists. When in doubt, the relationship must be disclosed.
Relative	A relative is a person related by blood, marriage, law, civil union, or de facto relationship, and may include distant relatives and in-laws.
Service Provider	Any person or legal entity contracted by Oranga Tamariki to provide services, either to Oranga Tamariki or to members of the public, including consultants, partners, commercial vendors, and social service providers.
Management Plan	A documented record in that exists between the manager and individual which outlines the conflict and the steps put in place to manage and monitor it where appropriate. It also includes a timeframe for review.

11. References

Oranga Tamariki Disclosure of Interest Standard Operating Procedures

[Oranga Tamariki Procurement Policy](#)

[Oranga Tamariki Social Services Procurement Policy](#)

[Oranga Tamariki Code of Conduct](#)

[Oranga Tamariki Fraud Policy](#)

[Oranga Tamariki Sensitive Expenditure Policy](#)

[Oranga Tamariki Privacy Policy](#)

[Oranga Tamariki Protected Disclosures Whistle Blowing Policy](#)

[Oranga Tamariki Disciplinary Policy](#)

[Oranga Tamariki Disciplinary Guidelines](#)

[Oranga Tamariki Recruitment and Selection Policy](#)

[Oranga Tamariki Acceptable Use of Technologies and Services](#)

[Oranga Tamariki Speak Up channels](#)

Relevant legislation and regulations

[Public Service Commission Model Standards: Conflict of Interest](#)

[OAG Managing conflicts of interest: A guide for the public sector](#)

12. Version Control

Version	Date	Change Reason
1.0	June 2023	
2.0	February 2025	Alignment with Public Sector Commissioner Conflicts of Interest Model Standards

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POLICY OWNER	General Manager, People and High Performance
POLICY SPONSOR	Deputy Chief Executive People, Culture & Enabling Services
DATE APPROVED	February 2025
DATE OF NEXT REVIEW	February 2028