



Te Rūnanga o Ōtākou (Inc)



WAIHOPAI RUNAKA



Te Runanga o Awarua



PRINCIPLES OF RELATIONSHIP
Between Murihiku and Araiteuru Rūnaka
and the
Southern District Health Board

31 May 2011

Principles of Relationship

Between Murihiku and Araiteuru Rūnaka
and the
Southern District Health Board

Introduction

This Principles of Relationship (PoR) is made on 31 May 2011, between Murihiku and Araiteuru Rūnaka and the Southern District Health Board (DHB).

The parties to this PoR are collectively known as *Te Hauroa o Murihiku me Araiteuru*

The parties represent the Treaty of Waitangi affiliation (or) relationship between mana whenua and the Southern District Health Board. The overall purpose of Te Hauroa o Murihiku me Araiteuru is to improve the well-being of Māori living in the Southern DHB region.

1. Parties

Kā Rūnaka (KR)

1.1 KR is made up of a representative from each of the seven Rūnaka. KR is represented under this PoR by the seven Papatipu Rūnaka identified in Te Rūnanga o Ngāi Tahu Act (1996) whose takiwā is in the Southern DHB region, namely:

- Ōraka Aparima Rūnaka
- Te Rūnanga o Awarua
- Waihōpai Rūnaka
- Hokonui Rūnanga
- Te Rūnanga o Ōtākou
- Kāti Huirapa Rūnaka ki Puketeraki
- Te Rūnanga o Moeraki

1.2 These representatives have been mandated by their respective Rūnaka to engage in a formal relationship with the Southern DHB.

1.3 KR provide a traditional manawhenua role and have a tikaka responsibility to manaaki other Māori living in the Southern DHB region.

1.4 KR representatives will be appointed by each of the seven Rūnaka for terms to be determined by the Runaka.

Southern DHB

1.5 The Southern DHB has statutory rights and obligations under the New Zealand Public Health and Disability Act (NZPHDA) 2000 to improve health outcomes for Māori in the Southern DHB region.

1.6 The Southern DHB Board will appoint four Board representatives (or more where mutually agreed with KR), including the Māori members

on the Board and the Chair and/or Deputy Chair), who have been mandated by the Southern DHB to engage in a formal relationship with KR.

1.7 The representatives will be appointed for the term of the Board.

Te Hauroa o Murihiku me Araiteuru formally meet by way of the Iwi Governance Committee. The Iwi Governance Committee is subject to the Southern DHB's Standing Orders (attached at Appendix A and its Terms of Reference (attached at Appendix B).

The Chairperson of the Iwi Governance Committee shall be appointed by KR for the term of the Board.

2. Purpose of this PoR

This agreement sets out the framework for an ongoing relationship between the Southern DHB and KR. The purpose of this agreement is to record the mutual commitment of the parties:

- 2.1 To work together in good faith to safeguard and promote the mutual interests of the parties in improving Māori health outcomes;
- 2.2 To address any conflict or tension openly and constructively; and
- 2.3 To act in ways that enhances the mana of both parties.

3. Legal Effect

This PoR is not legally binding and does not create a legal relationship.

4. Goals of the Relationship

The parties commit to the following goals for the relationship under this PoR.

- 4.1 To create and foster a high trust environment which allows the parties to work together while growing within their own tikaka and pursuing their own interests and priorities.
- 4.2 To provide a framework for the parties to work together towards improving Māori health outcomes, including the efficient use of resources and effective representation.
- 4.3 To ensure relevant priorities for Māori health are identified and targeted by Southern DHB.

5. Acknowledgements of Parties

The parties acknowledge:

- 5.1 The Treaty of Waitangi is a founding document of Aotearoa and lays an important foundation for relationships between Iwi and the Crown;

- 5.2 The role of Southern DHB as defined by statute benefits from the input of its relevant stakeholders, in this case Māori who live in the Southern DHB region;
- 5.3 The relationship created by this PoR is not an exclusive one and both parties reserve the right to create or maintain relationships with any other group that may assist them in the furtherance of their respective objectives;
- 5.4 This PoR does not alter or diminish Southern DHB's statutory powers and obligations under the NZPHDA 2000 or any other statute in any way;
- 5.5 The relationship developed in this PoR may also lead to the development of contracts for the provision of relevant services but that this PoR is not developed in this expectation;
- 5.6 Any such contracts that may be developed will form separate legal documents and will be attached as schedules to this PoR; and
- 5.7 The need to operate in accordance with the standing orders of the Southern DHB.

6. Agreement of General Scope or Role

To provide advice and make recommendations to the Southern DHB regarding Māori health, and specifically:

- 6.1 To receive and consider best relevant information and research regarding Māori health in the Southern DHB region;
- 6.2 To supervise the development, and subsequent monitoring, of the Māori Health Plan and its objectives to improve Māori health within the Southern DHB region;
- 6.3 To make timely contributions to the Annual Plan (AP) regarding Māori Health; and
- 6.4 To prioritise allocation of resources for the improvement of Māori health.

7. Communication

Kā Rūnaka (KR)

- 7.1 The representative from each of the seven Rūnaka will facilitate communication between their respective Rūnaka and Te Hauroa o Murihiku me Araiteuru.

Southern DHB

- 7.2 Southern DHB management is responsible for the minutes of the meeting being recorded from the Iwi Governance Committee and submitted to the Southern DHB Board Agenda.

External Communication

7.3 Any communications related to the relationship between Te Hauroa o Murihiku me Araiteuru, or the Iwi Governance Committee will be fronted in the first instance by the Chair of the Iwi Governance Committee and/or the Chair of the Southern DHB.

7.4 In the event that the Chairs are unavailable a delegate will be identified. In the event of contentious issues or topics likely to stimulate public interest a spokesperson will be appointed to speak on the issue by the Iwi Governance Committee.

8. Decision Making

Te Hauroa o Murihiku me Araiteuru will utilise consensus decision making through the Iwi Governance Committee forum or at Hui where the Southern DHB Iwi Governance Committee representatives have agreed to attend.

9. Dispute or Difference Resolution

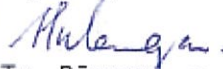
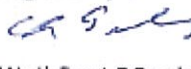
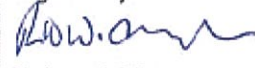

9.1 All disputes and differences of Te Hauroa o Murihiku me Araiteuru shall first be the subject of attempted resolution at the earliest opportunity at a local level. The Rūnaka representatives and DHB representatives should attempt resolution.

9.2 Only when matters remain unresolved after reasonable efforts at resolution have been made at the local level should they be referred to Rūnaka and Board or management representatives whom each party shall nominate for the purposes of this MOU.

9.3 If after the operation of clause 9.2 of this PoR, the dispute is not resolved within 28 days either party may refer the matter to mediation, which shall take place at a venue nominated by the mediator following consultation with the parties. The parties will by agreement appoint a single mediator to mediate the dispute in this forum. If the parties cannot agree to a mediator within 14 days then the mediator will be nominated by the Director General of Health and the parties will accept that nomination.

10. Review

The parties shall review this PoR every 24 months or earlier from the date of signing, and will amend this PoR as necessary to achieve the objectives of the Te Hauroa o Murihiku me Araiteuru.

<p>Signed by:  Ōraka Aparima Rūnaka representative</p> <p>Name: Muriel Johnstone Address: Ōraka Aparima Occupation: Executive member Date: 31 May 2011</p>	<p>Signed by:  Te Rūnanga o Awarua representative</p> <p>Name: Hana Morgan Address: Awarua Occupation: Chair Date: 31 May 2011</p>	<p>Signed by:  Waihōpai Rūnaka representative</p> <p>Name: Cyril Gilroy Address: Waihōpai Occupation: Deputy Chairman Date: 31 May 2011</p>
<p>Signed by:  Hokonui Rūnanga representative</p> <p>Name: Rewi Anglem Address: Hokonui Occupation: Chairman Date: 31 May 2011</p>	<p>Signed by:  Te Rūnanga o Ōtakou representative</p> <p>Name: Edward Ellison Address: Ōtakou Occupation: Chairman Date: 31 May 2011</p>	<p>Signed by:  Kati Mairapa Rūnaka ki Puketeraki representative</p> <p>Name: Matapura Ellison Address: Puketeraki Occupation: Chairman Date: 31 May 2011</p>
<p>Signed by:  Te Rūnanga o Moeraki representative</p> <p>Name: Patrick Tia Address: Moeraki Occupation: Chairman Date: 31 May 2011</p>	<p>Signed by:  Chairman Southern DHB</p> <p>Name: Joe Butterfield Address: Southern DHB Occupation: Chairman Date: 31 May 2011</p>	<p>In the presence of: </p> <p>Name: Eleanor Murphy Address: Southern DHB Iwi Governance Committee Occupation: Chair Date: 31 May 2011</p>



STANDING ORDERS

These Standing Orders apply to all meetings of the Board, its committees and sub-committees.

1 Preamble

Proceedings at all meetings of the Board shall be governed by the following Standing Orders for the conduct of such meetings.

2 Definitions

In these Standing Orders:

Act means the New Zealand Public Health and Disability Act 2000;

Board means the Southern District Health Board established under the Act;

Chair means the presiding member of the meeting, pursuant to clause 27 of the Third Schedule of the Act;

Member means a member of the Board.

3 Proceedings at Meetings

(a) Preliminaries

- (i) The Board Chair or, in his/her absence the Deputy Chair, shall preside at all meetings. In the absence of the Deputy Chair, the meeting shall appoint such member as it thinks fit as Chair for the period of such absence.
- (ii) The Board may adjourn by its own resolution to such time and place, as it thinks fit.
- (iii) The Board Secretary or his or her delegate shall keep full minutes of all proceedings.

(b) Business of the Day

Any business on the Agenda may be transacted at a meeting and the Chair shall decide the Order of the Business. Failing any decision of the Chair to the contrary, the business on the Agenda shall be taken first and in the order in which it appears thereon.

(c) Motions

- (i) If requested, copies of motions shall be handed to the Chair in writing.
- (ii) A motion moved and seconded shall be withdrawn only by leave of the meeting.

(d) Amendments to Motions

- (i) If required an amendment to a motion shall be handed to the Chair in writing signed by the mover.
- (ii) Only one amendment shall be considered at one time. If the amendment before the meeting is carried, it shall become the substantive motion, the original motion lapses, and there shall be no necessity to put the original motion to the meeting.
- (iii) Notice of any further amendments to the motion before the meeting may be given during the debate by any member who shall state its nature prior to the amendment to the motion before the meeting being put to the vote.
- (iv) Provided notice of further amendment has been given as aforesaid, an amendment on being carried may be further amended until a decision is arrived at.

(e) Revocation or Alteration of Resolutions

A resolution of the Board duly carried may be revoked or altered by Ordinary Resolution.

(f) Superseding Motion

A motion may be superseded by:

- (i) The adjournment of the meeting on the motion of a member "That this meeting is now adjourned".
- (ii) Notice being taken that a quorum is not present.

(iii) By a motion being carried without discussion "That the meeting proceed to the next business".

(iv) By an amendment.

(g) Motions Twice Submitted

No motion or amendment may be proposed which is the same in substance as any motion or amendment that, during the meeting, has been resolved in the affirmative or negative.

(h) Committees

Subject to ratification by the Board, the Chair may recommend such committees as he/she thinks fit to deal with any separate subject or subjects. Such committees shall consist of as many members as the Chair considers necessary.

Except where otherwise provided by any legislation, the Board may appoint to any committee any person who is not a member of the Board, if, in the opinion of the Board, that person has knowledge that will assist the work of the committee.

The Board shall ratify the appointment of the convenor of such committee or committees at the time of appointment of the members thereof.

(i) Deputations

Deputation means a request from any interest group to make a presentation to the Board or committee.

Deputations may be received by the Board, or any committee, provided an application for admission setting forth the subject has been lodged with the Chief Executive Officer at least 10 clear days before the date of the meeting concerned and has been subsequently approved by the Chair. However, the Chair may refuse requests for deputations which are repetitious or offensive.

Where in the opinion of the Chair the matter which is the subject of the deputation is one of urgency or major public interest, the Chair may determine that the deputation be received by the Board.

Except with the approval of the Board (or committee thereof), not more than two members of a deputation may address the meeting. After a deputation is received members may put to the deputation any question pertinent to the subject heard, but no member shall express an opinion upon, or discuss the subject, nor move a motion until the deputation has completed making its submissions and answering questions.

The Chair may terminate a deputation in progress which is disrespectful or offensive, or where the Chair has reason to believe that statements have been made with malice.

Unless the meeting determines otherwise in any particular case, a limit of five minutes shall be placed on each of the two members of the deputation addressing the meeting.

(j) Petitions

Every petition presented to the Board or to any committee shall comprise less than 500 words and shall not be disrespectful, nor use offensive language or make statements predominantly motivated by ill will.

Any member of the Board, who presents a petition on behalf of the petitioners, shall confine themselves to the reading of the petition and the statement of the parties from which it comes, and the number of signatures attached to it.

Where a petition is presented by a petitioner, unless the Board determines otherwise, a limit of five minutes shall be placed on that person. If the Chair has reason to believe that the petitioner is disrespectful or offensive, or has made statements predominantly motivated by ill will, the Chair may terminate the presentation of the petition.

(k) Voting

Every member present shall be required to vote when a question is put, or to have his or her abstention recorded.

The voting shall first be taken on the voices and a declaration by the Chair as to the result shall be conclusive, unless a poll is demanded.

On the voting for and against being equal, the Chair shall not have a second or casting vote. Anything that is the status quo will prevail as a result of a tied vote.

(l) Quorum

No business shall be transacted at any meeting of the Board unless the required quorum of members is present. The quorum will be constituted as per the Health and Disability Act which states that a majority of the Committee must be present.

(m) Confidential Business

Where business is to be transacted for which a right to exclude the public exists, the meetings shall, upon adoption of the following resolution, exclude the public:

"It is resolved that the public be excluded under clause 32 of the Third Schedule of the Act for the following reasons:

- a) The meeting is to discuss the following matter (describe general subject of matter to be discussed);
- b) The information should be withheld from the public for the following reason, (describe reason), being a ground which exists for excluding the public under clause 32 (a)/(b)/(c)/(d)/(e) of the Act.

On the conclusion of confidential business the meeting shall resume as an open meeting and the business transacted in committee shall be confirmed upon the adoption of the following resolution:

"It is resolved that the Board resumes as an open meeting and the business transacted in Committee be confirmed."

4 Conduct of Meetings

- (a) Every member shall obey the orders and rulings of the Chair. If any member refuses to obey any such order or ruling, such person may thereupon, by resolution of the meeting, be held in contempt, and such person may be suspended for the remainder of the meeting at the discretion of the meeting.
- (b) The mover of a motion or of any amendment shall be allowed not more than ten minutes in which to address the meeting and the seconder as well as other members shall be entitled to five minutes. The mover shall be entitled to a reply of five minutes. Extra time may be allowed if there is no objection. A member who has already spoken may speak again for the purpose of clearing up a misunderstanding or personal explanation, but only after leave granted by the Chair.
- (c) No member shall propose more than one amendment upon a motion.
- (d) Except in Committee, no member shall speak more than once upon a motion, or an amendment to a motion, unless they are the mover. In that case they will be entitled to the right of reply after which no other member may speak. If the mover of the motion speaks to an amendment he or she forfeits the right of reply.
- (e) No member shall speak on any question after it has been put by the Chair, or during a vote, except to raise and speak to a point of order.
- (f) Where a point of order is raised, the member raising the same shall state his or her point of order clearly and concisely. The Chair shall decide the matter promptly and no discussion upon the point of order shall be permitted. The person raising the point of order shall be required to prove one or more of the following:
 - (i) That the speaker is using unparliamentary language.
 - (ii) That the speaker is speaking beside the question.
 - (iii) That the speaker is infringing the Standing Orders.

(Points of correction, such as a protest that a speaker is not telling the truth, are not points of order.)

5 Disagreement with Chair's Ruling

- (a) Upon any question under the Standing Orders or on points of order or explanation the ruling of the Chair shall be final, unless at least three-fourths of the members vote against such ruling.
- (b) Upon the submission of a motion "That the Chair's ruling be disapproved", the Chair forthwith shall leave the Chair and the debate on the original question then before the meeting shall be suspended. The Deputy Chair shall then take the Chair, or in the absence of the Deputy Chair another Chair may be appointed by the meeting.

The question "That the Chair's ruling be upheld" shall be put to the meeting after the Chair has stated his reasons for the ruling, and the mover of the contrary motion has stated his reasons for disagreement. No other discussion will be allowed.

- (c) After the question has been decided upon, the former Chair shall resume the Chair, and the debate on the original question shall be proceeded with as if the same had not been suspended.

Appendix B, Iwi Governance Committee Terms of Reference

IWI GOVERNANCE COMMITTEE **Terms of Reference**

Accountability

The Southern DHB has statutory rights and obligations under the NZPHDA 2000 to improve health outcomes for Māori in the Southern DHB region.

The committee is to comply with the standing orders of the Southern DHB.

Objective

The objective of the Iwi Governance Committee is to provide advice and make recommendations to the Southern DHB regarding Māori health.

Responsibilities

- To receive and consider best relevant information and research regarding Māori health in the Southern DHB region.
- To supervise the development, and subsequent monitoring, of the Māori Health Plan and its objectives to improve Māori health within the Southern DHB region.
- To make timely contributions to the Annual Plan (AP) regarding Māori health.
- To prioritise allocation of resources for the improvement of Māori health.

Membership

The Iwi Governance Committee is to comprise of the Kā Rūnaka (KR) and the Southern DHB.

The KR is represented by the seven Papatipu Rūnaka identified in Te Rūnanga o Ngāi Tahu Act (1996) whose takiwā is in the Southern DHB region, namely:

- Ōraka Aparima Rūnaka
- Te Rūnanga o Awarua
- Waihōpai Rūnaka
- Hokonui Rūnanga
- Te Rūnanga o Ōtākou
- Kāti Huirapa Rūnaka ki Puketeraki
- Te Rūnanga o Moeraki

The Southern DHB is represented by four Southern DHB representatives (or more where mutually agreed with KR), including the Māori members on the Board and the Chair and/or Deputy Chair), who have been mandated by the Southern DHB to engage in a formal relationship with KR. The representatives will be appointed for the term of the Board.

The Chairperson of the Iwi Governance Committee shall be appointed by the KR for the term of the Board.

The Committee may obtain additional advice from external third parties as and when required.

Where a person, who is not a Board member, is appointed to the Committee, the person must give the Board a statement that discloses any present or future conflict of interest, or a statement that no such conflicts exist or are likely to exist in the future.

Meetings

Meetings of the Iwi Governance Committee will convene on a bi-monthly basis or as agreed. The venue for the meeting will alternate at an agreed site in Southland and Otago, with technology (eg. video or teleconferencing) aiding remote locations where appropriate.

At least two workshops will be held annually. The purpose of the workshops is for the Iwi Governance Committee and Management Advisory Committee Maori Health to meet and progress the Maori Health Plan and other strategic bodies of work in relation to Maori health.

Meetings are not open to the public unless specifically requested and agreed to by members.

Each representative of the KR and the DHB will have one vote.

Quorum

The quorum will be constituted as per the Health and Disability Act which states that a majority of the Committee must be present.

Conflicts of Interest

Where a potential conflict of interest exists with an agenda item, these are to be declared by members and staff. A register of interests shall form part of each Committee meeting agenda.

Review

The Terms of Reference for this Committee shall be reviewed every 24 months or earlier to mirror review of the Principles of Relationship document.

Remuneration

Meeting fees are payable to Ka Runaka members only and are aligned with the remuneration fees of all the Board's advisory committees.

Meeting fees are only paid when members attend meetings.

Meeting fees will not be paid to Southern DHB employees.

Management Support

The DHB Chief Executive will ensure provision of management and administrative support to the Committee.