

# Te Tāhuhu Tikanga

for Rūnanga Representatives  
and Alternate Rūnanga Representatives



As at: August 2022



Te Rūnanga o **NGĀI TAHU**

# Introduction

## 1. PURPOSE

### 1.1. Guidelines

This Te Tāhuhu Tikanga ('TTT') provides guidance on the standards of behaviour expected from individual Rūnanga Representatives and Alternate Rūnanga Representatives in the exercise of their duties.

### 1.2. Application

TTT applies to Rūnanga Representatives and Alternative Rūnanga Representatives in the exercise of their respective roles and in their dealings with:

- each other;
- Ngāi Tahu Whānui members;
- Papatipu Rūnanga;
- the Chief Executive Officer ('the CEO');
- all staff employed by the CEO on behalf of Te Rūnanga o Ngāi Tahu ('Te Rūnanga') and its subsidiary entities;
- the media;
- any other person whilst carrying out their role; and
- general public.

TTT applies to Rūnanga Representatives, Alternate Rūnanga Representatives and the holders of any proxy votes when acting in their capacity as a Rūnanga Representative or Alternate Rūnanga Representative but not as a private

### 1.3. Objectives

The objectives of TTT is to enhance the:

- effectiveness of Te Rūnanga as an iwi authority with statutory responsibilities for the good of Ngāi Tahu Whānui;
- credibility and accountability of Te Rūnanga within Ngāi Tahu Whānui, Papatipu Rūnanga and the wider community; and
- mutual trust, respect and tolerance between Rūnanga Representatives and Alternate Rūnanga Representatives as a group and with Te Rūnanga Group staff.

### 1.4. Scope

TTT seeks to achieve its objectives by agreeing on:

- a statement of roles and responsibilities;

- general principles of conduct for Rūnanga Representatives and Alternate Rūnanga Representatives;
- general standards of behaviour;
- specific codes of conduct applying to particular circumstances or matters.

## Ngāi Tahu Values

### 2. NGĀI TAHU VALUES

Te Rūnanga General Behavioural Principles of Good Governance and Ngāi Tahu values underpin all Te Rūnanga behaviour. These values are the tribal values modified and adopted by Te Rūnanga in 2006 as follows:

- **Whanaungatanga (*family*)**

We will respect, foster and maintain important relationships within the organisation, within the iwi and within the community.

- **Manaakitanga (*looking after our people*)**

We will respect, foster and maintain important relationships within the organisation, within the iwi and within the community.

- **Tohungatanga (*expertise*)**

We will pursue knowledge and ideas that will strengthen and grow Ngāi Tahu and our community.

- **Kaitiakitanga (*stewardship*)**

We will work actively to protect the people, environment, knowledge, culture, language and resources important to Ngāi Tahu for future generations.

- **Tikanga (*appropriate action*)**

We will strive to ensure that the tikanga of Ngāi Tahu is actioned and acknowledged in all of our outcomes.

- **Rangatiratanga (*leadership*)**

We will strive to maintain a high degree of personal integrity and ethical behaviour in all actions and decisions we undertake.

In addition, the following best practice governance principles also apply to Rūnanga Representatives, and Alternate Rūnanga Representatives.

- **Manaakitanga (*respect*)**

Rūnanga Representatives and Alternate Rūnanga Representatives welcome and treat all people with respect regardless of their views or background.

- **Pononga (*honesty and integrity*)**

Rūnanga Representatives and Alternate Rūnanga Representatives act with honesty and integrity and on all occasions avoid any appearance of behaviour that may cause their honesty or integrity to be questioned.

- **Whānau Interests**

Rūnanga Representatives and Alternate Rūnanga Representatives act in the best interests of Ngāi Tahu Whānui, and never improperly confer an advantage or disadvantage on any one person, whānau, hapū or Papatipu Rūnanga.

- **Whakapapa**

Rūnanga Representatives and Alternate Rūnanga Representatives decision-making is based on the premise that those entitled by whakapapa are protected in their right to benefit from Te Rūnanga.

- **Whānau**

Rūnanga Representatives and Alternate Rūnanga Representatives encourage an environment that creates lasting relationships, unity and cohesion but that also values constructive and rigorous debate.

- **Rangitiratanga (*leadership*)**

Rūnanga Representatives and Alternate Rūnanga Representatives promote and support Te Rūnanga decisions by example and take collective responsibility for decision-making.

- **Puatatanga and Whakawhitinga (*transparency and communication*)**

Rūnanga Representatives and Alternate Rūnanga Representatives are as open and transparent as possible about their actions and those of Te Rūnanga and are prepared to justify their actions and provide Ngāi Tahu Whānui with the opportunity for effective redress.

- **Rongo (*reputation*)**

Rūnanga Representatives and Alternate Rūnanga Representatives always uphold the mana of Te Rūnanga in all their behaviour and act in accordance with the trust that Ngāi Tahu Whānui places in them.

- **Kaitiakitanga (*stewardship*)**

Rūnanga Representatives and Alternate Rūnanga Representatives, as kaitiaki for Ngāi Tahu Whānui, ensure that resources are managed prudently for past, present and future generations.

- **Pikaunga (*accountability*)**

Rūnanga Representatives and Alternate Rūnanga Representatives are accountable to each other, to Papatipu Rūnanga and Ngāi Tahu Whānui for their actions and the manner in which they carry out their responsibilities, and there is complete

disclosure on all material matters, performance and governance arrangements. Conflicts of interest are recognised and managed seriously and openly.

- **Whakaaro tōkeke (*objectivity*)**

Rūnanga Representatives and Alternate Rūnanga Representatives make decisions on merit including making appointments, awarding contracts, or recommending individuals for rewards or benefits.

- **Kawenga (*personal responsibility*)**

Rūnanga Representatives and Alternate Rūnanga Representatives understand their role and duties, and the environment that Te Rūnanga operates in. Rūnanga Representatives and Alternate Rūnanga Representatives uphold New Zealand Law.

- **Whakawatanga (*personal judgment*)**

Rūnanga Representatives and Alternate Rūnanga Representatives take account of the views of others, but reach their own conclusions based on an informed and critical analysis of the issues before them, and act in accordance with those conclusions.

- **Whakatutukitanga (*Performance*)**

Rūnanga Representatives and Alternate Rūnanga Representatives are innovative, dynamic and strive for excellence and continual improvement.

## Roles and Responsibilities

### 3. ROLES AND RESPONSIBILITIES

#### 3.1. Kaiwhakahaere

The Kaiwhakahaere is elected by the Members of Te Rūnanga o Ngāi Tahu (via the Papatipu Rūnanga Representatives) in accordance with the process as set out in the Charter – Clause

6.14 and the relevant Te Rūnanga policy. The role of the Kaiwhakahaere, in addition to that of a Rūnanga Representative, is:

- **Effectiveness of Te Rūnanga o Ngāi Tahu**

- To ensure behaviours and decisions of Te Rūnanga are consistent with Ngāi Tahu values.
- To ensure policies and decisions of Te Rūnanga are consistent with relevant legislation (e.g., Te Rūnanga o Ngāi Tahu Act and the Ngāi Tahu Settlement Act), any Te Rūnanga policies and the Charter.
- To grow the capacity of Rūnanga Representatives and Alternate Rūnanga Representatives to provide effective leadership and make effective

decisions.

- To efficiently and effectively conduct Te Rūnanga Meetings.

▪ **Relationships – Internal and External**

- To maintain an effective working relationship with the Deputy Kaiwhakahaere, the Chief Executive Officer.
- To ensure that Te Rūnanga maintains the confidence of the members of Ngāi Tahu Whānui.
- To effectively communicate Te Rūnanga’s perspectives to Papatipu Rūnanga and Ngāi Tahu Whānui.
- To improve communications and build effective relationships with other Iwi and Māori organisations.
- To encourage the building and sustaining of improved relationships between Te Rūnanga and the 18 Papatipu Rūnanga, their individual members and Taura Here.
- To build and sustain appropriate political relationships at both local and central government.

▪ **Representation**

- To represent the collective view of Te Rūnanga in public forms, including the media [Refer to Job Description for further detail].

**3.2. Deputy Kaiwhakahaere**

The Deputy Kaiwhakahaere is elected by the Members of Te Rūnanga o Ngāi Tahu (via the Papatipu Rūnanga Representatives) in accordance with the process as set out in the Charter – Clause 6.14 and relevant Te Rūnanga policy. The role of the Deputy Kaiwhakahaere, in addition to that of a Rūnanga Representative is:

- to be willing and able to act as the Kaiwhakahaere as and when required;
- to represent and advocate for Ngāi Tahu in public forums;
- along with the Kaiwhakahaere, to maintain positive relationships with Papatipu Rūnanga and Ngāi Tahu Whānui members with the express purpose of enhancing communication and understanding prior to and between Meetings; and
- to maintain an appropriate working relationship with the Kaiwhakahaere and the CEO.

**3.3. Committee Chairpersons**

Te Rūnanga utilises Committees to enhance its governance effectiveness to deal with specialist issues as required. These Committees will have specified delegated authorities to act on behalf of Te Rūnanga. A Committee chairperson will:

- preside over all meetings of the Committee;
- ensure that the Committee acts within the powers delegated by Te Rūnanga; and
- report to and be accountable to Te Rūnanga on matters being dealt with by the Committee.

#### **3.4. Rūnanga Representatives and Alternate Rūnanga Representatives**

The 18 Rūnanga Representatives appointed to Te Rūnanga under clause 6 of the Charter are responsible for:

- representing the best interests of Ngāi Tahu Whānui and must not act in a manner that unfairly prejudices or unfairly discriminates against any particular Papatipu Rūnanga, unless the Rūnanga Representative believes that the action is required to satisfy the best interest of Ngāi Tahu Whānui;
- development and adoption of Te Rūnanga strategy and policy;
- monitoring the performance of Te Rūnanga and its subsidiary entities against Te Rūnanga's stated objectives and policies; and
- employment of the CEO.

Alternate Rūnanga Representatives appointed to Te Rūnanga under clause 6 of the Charter, are subject to the same obligations and requirements when undertaking their role.

No individual Rūnanga Representative or Alternate Rūnanga Representative has authority to act on behalf of Te Rūnanga unless Te Rūnanga has expressly delegated such authority (e.g., the delegations given to the Kaiwhakahaere).

#### **3.5. Chief Executive Officer (CEO)**

The CEO is responsible for:

- relaying to Ngāi Tahu Holdings Corporation ('NTHC') directors, NTHC Group, directors and any other entity under the control of Te Rūnanga, the instructions and feedback of Te Rūnanga;
- monitoring on behalf of Te Rūnanga, the compliance by NTHC Group and any other entity under the control of Te Rūnanga with policies and the Strategic Documentation prescribed by Te Rūnanga;
- implementing the decisions of Te Rūnanga;
- provide advice to Te Rūnanga and its Committees;
- ensuring that all responsibilities, duties and powers delegated to the CEO or to any person employed by the CEO are properly performed;
- employing staff of Te Rūnanga o Ngāi Tahu;

- maintain an appropriate working relationship with the Kaiwhakahaere and the Deputy Kaiwhakahaere; and
- carrying out the functions of the Office as set out in the Charter.

## Relationships

### 4. RELATIONSHIPS

#### 4.1. Relationships with Other Rūnanga Representatives and Alternate Rūnanga Representatives

Rūnanga Representatives and Alternate Rūnanga Representatives will conduct their dealings with each other in ways that:

- maintain tribal confidence in the office to which they have been elected;
- are open and honest;
- focus on issues rather than personalities; and
- avoid aggressive, offensive or abusive conduct.

Rūnanga Representatives and Alternate Rūnanga Representatives will make no allegations that are improper or derogatory, regarding other Rūnanga Representatives or Alternate Rūnanga Representatives.

#### 4.2. Relationships with NTHC and other entities under the control of Te Rūnanga

Te Rūnanga is responsible for the appointment of directors to certain subsidiary boards. The details of this function are outlined in the Generic Policy for the Appointment of Directors adopted by Te Rūnanga.

It is important that Te Rūnanga expectations are clearly communicated to and adhered to by the subsidiary boards under its direct control.

To enable this, communication must occur via the formal channels, including:

- Annual planning process;
- Te Rūnanga Meetings with subsidiaries; and
- the Te Rūnanga o Ngāi Tahu Office (“the Office”) relaying instructions and carrying out its monitoring functions on behalf of Te Rūnanga.

Outside these channels, Rūnanga Representatives and Alternate Rūnanga Representatives must not attempt to influence, or provide direction or instructions to employees or directors of those subsidiaries.

Rūnanga Representatives and Alternate Rūnanga Representatives must refrain from making adverse public statements about Te Rūnanga entities, any associated boards or board members or employees of those entities or any joint venture partners or partnership (or similar arrangements) entered into by those entities.



### **4.3. Relationships with the Office**

The effective performance of Te Rūnanga requires a high level of co-operation and mutual respect between Te Rūnanga and staff. To ensure this level of co-operation and trust is maintained, Rūnanga Representatives and Alternate Rūnanga Representatives will:

- recognise that the CEO is the employer (on behalf of Te Rūnanga) of all Office of Te Rūnanga employees and as such only the CEO may hire, dismiss, instruct or censure an employee;
- avoid publicly criticising an employee in any way, but especially in ways that reflect on the competence and integrity of the employee;
- make themselves aware of the obligations that Te Rūnanga and CEO have as employers and observe those requirements at all times;
- treat all employees with courtesy and respect (including the avoidance of aggressive, offensive or abusive conduct towards employees);
- observe any guidelines that the CEO puts in place regarding contact with employees;
- respect the role of the Office staff in providing professional advice, including not doing anything which compromises, or could be seen as compromising, the impartiality of the professional advice of the staff member;
- raise concerns about employees with the CEO. Concerns about the CEO should be raised in the first instance with the Remuneration Committee; and
- raise concerns regarding the quality of any Meeting papers with the CEO before the Meeting at which the paper is to be considered takes place.

### **4.4. Relationships with Papatipu Rūnanga**

Effective decision-making by Te Rūnanga is dependent on productive relationships between Rūnanga Representatives and Alternate Rūnanga Representatives and their respective Papatipu Rūnanga. Rūnanga Representatives have a responsibility to, in good faith, accurately and objectively communicate with their respective Papatipu Rūnanga members on the issues which are before Te Rūnanga and any resolutions taken by Te Rūnanga.

Alternate Rūnanga Representatives are subject to and assume the same obligations as Rūnanga Representatives when undertaking any of the functions or duties of a Rūnanga Representative; they are included below in the references to Rūnanga Representative to the extent relevant and necessary to give effect to this TTT.

Where a Rūnanga Representative or Alternate Rūnanga Representative has voted against a decision of Te Rūnanga the Rūnanga Representative or Alternate Rūnanga Representative is entitled to communicate that:

- the Rūnanga Representative or Alternate Rūnanga Representative did not vote in favour of the relevant decision; and

- the Rūnanga Representative or Alternate Rūnanga Representative's rationale for not voting in favour of the relevant decision.

However, unless Te Rūnanga gives permission, a Rūnanga Representative or Alternate Rūnanga Representative who voted against a decision of Te Rūnanga is not entitled to:

- advocate against a Te Rūnanga decision; or
- act in a manner that undermines a Te Rūnanga decision.

It is expressly noted that from time to time Te Rūnanga may consider it appropriate to allow Rūnanga Representative(s) and Alternate Rūnanga Representative(s) to advocate against a Te Rūnanga decision or act in a manner that undermines a Te Rūnanga decision. The onus for requesting permission to allow a Rūnanga Representative(s) and Alternate Rūnanga Representative(s) to advocate against a Te Rūnanga decision or act in a manner that undermines a Te Rūnanga decision rests with the Rūnanga Representative or Alternate Rūnanga Representative seeking to act in this manner.

#### **4.5. Relationships with Ngāi Tahu Whānui**

Rūnanga Representatives and Alternate Rūnanga Representatives should ensure that tribal members are accorded with respect in their dealings with Te Rūnanga, have their concerns listened to and decisions are deliberated on in accordance with Ngāi Tahu values.

#### **4.6. Relationships with the Public**

Rūnanga Representatives and Alternate Rūnanga Representatives should ensure that members of the public are accorded respect in their dealings with Te Rūnanga.

#### **4.7. Contact with the Media**

Rūnanga Representatives and Alternate Rūnanga Representatives must comply with any media policy which is in place from time to time.

In general, Rūnanga Representatives and Alternate Rūnanga Representatives should not speak on behalf of Te Rūnanga or the Te Rūnanga Group unless there has been a specific delegation for them to do so.

## Specific Behaviours

### 5. SPECIFIC BEHAVIOURS

#### 5.1. Ethics

Whilst behaviour is in general governed by the principles covered by Ngāi Tahu Values (see Part 2.0) more specific guidelines are given in this section.

The overarching principle is one of Rūnanga Representatives and Alternate Rūnanga Representatives always acting in the best interests of Ngāi Tahu Whānui, in accordance with Ngāi Tahu Values. This means that the interests of a Representative's Rūnanga and Alternate Rūnanga Representatives and their whānau must be tempered with an awareness of acting in the interests of the collective Ngāi Tahu Whānui. Where a conflict arises then the concept of absolute transparency, and consultation with the affected parties comes into play. Secrecy<sup>1</sup> apart from the need for confidentiality to protect individuals and staff members, and commercial interests<sup>2</sup> is to be avoided wherever possible.

Te Rūnanga seeks to promote the highest standards of ethical conduct amongst its elected members. Accordingly, Rūnanga Representatives and Alternate Rūnanga Representatives will:

- claim only for legitimate expenses;
- not influence, or attempt to influence, any Te Rūnanga employee to take actions that may benefit the Rūnanga Representatives/Alternate Rūnanga Representatives or the Rūnanga Representative/Alternate Rūnanga Representatives' whānau or business interests;
- not use Te Rūnanga resources for personal business unless it is agreed; and
- not solicit, demand or request any gift, reward or benefit by virtue of his/her position.

#### 5.2. Confidential Information

In the course of their duties Rūnanga Representatives and Alternate Rūnanga Representatives will receive information that may need to be treated as confidential. This will generally be information that is either commercially sensitive, legally privileged or is personal to a particular individual or organisation.

Rūnanga Representatives and Alternate Rūnanga Representatives must not use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the Rūnanga Representative and Alternate Rūnanga Representatives unless approved. See also Standing Orders which contain confidentiality obligations that Te Rūnanga has placed on Rūnanga Representatives and Alternate Rūnanga Representatives.

The Kaiwhakahaere may authorise the disclosure of In Committee information from time to time if the Kaiwhakahaere considers this appropriate taking into account any consequences that may arise as a result of the information being disclosed.

### **5.3. Conflict of Interest**

Rūnanga Representatives and Alternate Rūnanga Representatives must maintain a clear separation between their personal interests and their duties as an elected representative to ensure that they carry out their duties as a Rūnanga Representative or Alternate Rūnanga Representative free from bias (whether real or perceived).

Rūnanga Representatives and Alternate Rūnanga Representatives shall abide by Te Rūnanga's conflict of interest policy.

### **5.4. Disqualification of Rūnanga Representatives from Office**

Rūnanga Representatives and Alternate Rūnanga Representatives are automatically disqualified from office if they are convicted of a criminal offence punishable by two (2) or more years' imprisonment, or if they cease to be or lose their status as a Rūnanga Representative or Alternate Rūnanga Representatives in accordance with clause 6.12 of the Charter.

### **5.5. General Behaviour**

In the performance of their duties, Rūnanga Representatives and Alternate Rūnanga Representatives should refrain from any form of conduct which may be considered unreasonable.

### **5.6. Duty to Disclose**

- (i) In certain circumstances Rūnanga Representative and Alternate Rūnanga Representatives are required to provide full disclosure of information.
- (ii) Rūnanga Representatives and Alternate Rūnanga Representatives must fully disclose the following types of information any event or circumstance of which they have personal knowledge which will, or may, materially or detrimentally affect:
  1. the integrity of Te Rūnanga
  2. assets held within Te Rūnanga Group;
  3. the rights or interests of Te Rūnanga however derived;
  4. the reputation of Te Rūnanga or its subsidiaries;
  5. the legal liability of Te Rūnanga or its subsidiaries; and
  6. any entity connected with Te Rūnanga that may, if affected, cause harm to Te Rūnanga including:
    - a. any commercial partner;
    - b. any Papatipu Rūnanga; and

- c. any stakeholder.

Rūnanga Representatives and Alternate Rūnanga Representatives making a disclosure of information under (ii) of this policy should where practicable first make that disclosure in writing or verbally at a Te Rūnanga Meeting and ensure that it is recorded in the minutes.

- (iii) If the Rūnanga Representative feels it inappropriate to make the disclosure to Te Rūnanga, the Rūnanga Representative may elect to make that disclosure to the Secretary; or
- (iv) If the disclosure at a meeting would result in prejudicial delay, the disclosure should be made to the Secretary in the first instance.
- The Rūnanga Representatives must take all reasonable steps to make the disclosure at the earliest available opportunity

## Compliance

### 6. COMPLIANCE

- 6.1. Rūnanga Representatives and Alternate Rūnanga Representatives are bound to comply with the provisions of TTT.
- 6.2. Rūnanga Representatives and Alternate Rūnanga Representatives will be bound individually and collectively by the relevant provisions of the following:
- Te Rūnanga o Ngāi Tahu Act 1996;
  - Ngāi Tahu Claims Settlements Act 1998;
  - Te Rūnanga o Ngāi Tahu Charter;
  - Standing Orders;
  - TTT;
  - Any policies adopted by Te Rūnanga from time to time;
  - Any decisions of Te Rūnanga;
  - Trustees Act; and
  - Charitable Trusts Act.
- 6.3. Compliance with TTT will be monitored by all Rūnanga Representatives and Alternate Rūnanga Representatives. This is a collective responsibility.
- 6.4. Where Rūnanga Representatives and Alternate Rūnanga Representatives believe a breach of TTT may have occurred they are encouraged to engage with the relevant person to seek to address their concern *kanohi ki te kanohi* provided that's appropriate. The intention is that the complaint and investigation process below is reserved for material breaches of TTT.

- 6.5. Breaches of TTT may be reported to the Chair of Te Whakaue. Any allegation of a breach of TTT must be in writing and make specific allegation of a breach of TTT.
- 6.6. The Chair of Te Whakaue will consider the complaint and decide the appropriate response(s). Options open to the Chair of Te Whakaue include (but are not limited to) one or more of the following:
- (i) Informal discussion with the complainant (eg seeking further information), the subject of the complaint or any third party;
  - (ii) Tikanga based resolution processes;
  - (iii) Mediation or facilitated discussion;
  - (iv) Dismiss the complaint, for example:
    - a. as not being sufficiently serious to warrant further action;
    - b. as not being in Te Rūnanga's best interests to pursue further;
    - c. as having no valid basis;
  - (v) Investigate the complaint and determine:
    - a. Has there been a breach of TTT?;
    - b. What sanctions (if any) shall apply?;
- 6.7. In considering how to respond to a complaint alleging a breach of TTT the Chair of Te Whakaue is encouraged to take into account the following factors:
- (i) The parties involved are likely to have on-going relationships. Maintaining those relationships is a priority to avoid ongoing disharmony that may impact those involved, their whānau, their Papatipu Rūnanga and the Table;
  - (ii) It may be appropriate for the Chair of Te Whakaue to have support from a member of Ngāi Tahu Whānui with knowledge of Ngāi Tahu tikanga. The Chair of Te Whakaue can arrange such support (including incurring costs) if they elect to do so;
  - (iii) It may be appropriate for the Chair of Te Whakaue to have legal, mediation or other support from a third party. The Chair of Te Whakaue can arrange such support (including incurring costs) if they elect to do so;
  - (iv) Where the Kaiwhakahaere is not the subject of the allegation (or is otherwise involved) then the Chair of Te Whakaue is encouraged (but not obliged) to engage with the Kaiwhakahaere on a no surprises basis about the complaint and how it is being managed. The Kaiwhakahaere may be able to provide useful advice and support to the Chair of Te Whakaue as to how the complaint should be managed but, for the avoidance of doubt, the Kaiwhakahaere has no formal role or responsibilities in managing the complaint.
- 6.8. Before, beginning any investigation, the Chair of Te Whakaue will notify the relevant

- Representative(s) in writing of the complaint and explain when and how they will get an opportunity to put their version of events.
- 6.9. The investigation will seek to determine whether there has been a breach of TTT and, if so, any sanctions that should be imposed accordingly. The investigation will be carried out in accordance with the rules of natural justice.
- 6.10. Once the Chair of Te Whakaue has concluded their report:
- a. If the conclusion is there has been a breach of TTT:
    - i. this will be reported to Te Rūnanga on an In-Committee basis at such time as the Chair of Te Whakaue decides;
    - ii the Chair of Te Whakaue will decide what, if any, information is released from In-Committee however there is an assumption if a breach of TTT has occurred this will be disclosed to the Papatipu Rūnanga of the relevant Rūnanga Representative or Alternate and to Ngāi Tahu Whānui;
  - b. If there is no conclusion that there has been a breach of TTT then the Chair of Te Whakaue can decide whether the report is provided to Te Rūnanga or other parties as they consider appropriate.
- 6.11. Subject to 6.10, whilst an investigation is being carried out by the Chair of Te Whakaue the matter shall remain confidential and all Rūnanga Representatives and Alternate Rūnanga Representatives shall keep any information about the complaint and the investigation confidential. Confidentiality obligations will not apply where information is in the public domain, other than through a breach of confidentiality. The Chair of Te Whakaue is entitled to disclose information as the Chair of Te Whakaue considers reasonably necessary to perform their role under TTT.
- 6.12. A Rūnanga Representatives or Alternate Rūnanga Representatives who either makes an allegation of a breach of TTT or it is alleged has breached TTT is entitled to disclose this on a confidential basis to:
- a. their Papatipu Rūnanga Executive;
  - b. professional advisors
- 6.13. The Chair of Te Whakaue has discretion as to how to manage complaints and how to carry out any investigation they may consider appropriate. This includes incurring costs and accessing information and people.
- 6.10. If the Chair of Te Whakaue has a conflict of interest or is unable to perform their role under TTT for any reason they may nominate another appropriately qualified and independent person to carry out the relevant tasks.

## Responses to Breaches

### 7. RESPONSES TO BREACHES OF TTT

7.1. If the Chair of Te Whakaue concludes there has been a breach of TTT the exact nature of the action that may be taken depends on the nature of the breach and whether there are statutory provisions dealing with a breach however shall be limited to:

- a request to the Member to consider the removal of the Rūnanga Representative or Alternate Rūnanga Representatives;
- written reprimand;
- the requirement that the offending party apologise to any other party, to Te Rūnanga and/or Ngāi Tahu Whānui and be suspended from Te Rūnanga Meetings until such apology is tendered (though the Member may send another person to represent it in the absence of the suspended party);
- loss of access to papers of Te Rūnanga and/or any Committees of Te Rūnanga;
- suspension from one or more Meetings of Te Rūnanga (though the Member may send another person to represent it in the absence of the suspended party);
- suspension or removal from any Committee(s) of Te Rūnanga upon which the offending party serves; and
- suspension or removal from any external body upon which the offending party serves and to which body the offending party was appointed by Te Rūnanga.

### 8. REVIEW

8.1. Once adopted, TTT shall continue in force until amended by Te Rūnanga o Ngāi Tahu.

Document History and Version Control					
<b>Title</b>	Te Tāhuhu Tikanga for Rūnanga Representatives and Alternate Rūnanga Representatives				
<b>Version</b>	v5.0	<b>Last approved</b>	August 2022	<b>Next review</b>	2027
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