



When I came to the Department of Social Welfare in July 1993 I was very much aware that this Department had, during the late 1980's, been at the leading edge of bicultural development in the State Services. I was familiar with "Puao-te-Ata-tu", the Report of the Ministerial Advisory Committee on a Maori Perspective for the Department of Social Welfare. Staff who knew of my enthusiasm for bicultural development in my previous Chief Executive role at the Ministry of Transport were quick to point out to me that Social Welfare's initial surge in this area had not been sustained. I could not envisage how the Department could provide sensitive and fully accessible services to the people of New Zealand without a strong bicultural awareness and the application of the principles underlying the Treaty of Waitangi, Puao-te-Ata-tu and the State Sector Act of 1988. I had much to learn in assuming the leadership of DSW and I needed time to observe and to listen.

I met with many staff at all levels and with other interested community people throughout my first year with the Department. During mid-1994 I set about consulting Maori staff throughout the country at a series of hui. Four regional hui were held at Takapuwahia Marae in Wellington, at Te Oranga Marae in Christchurch (Kingslea Residence), at the Te Ara o te Mangai Marae in Auckland (Weymouth Residence), and at the Turangawaewae Marae in Ngaruawahia. I found the discussion and debate at these hui most helpful in clarifying the direction in which we need to move. The strategies outlined in this document are based substantially on the clear messages I absorbed at the hui.

I am very conscious of my responsibilities as a Chief Executive: in recommitting the Department to partnership obligations under the Treaty of Waitangi and in terms of the principles of Puao-te-Ata-tu; under Section 56 of the State Sector Act 1988 to recognise the aims, aspirations and employment requirements of Maori people; under Section 7 of the Children, Young Persons and Their Families Act 1989 which places a particular duty on me, in relation to policies and services, to "Have regard for the values, culture, and beliefs of the Maori people"; and "Support the role of

families, whanau, hapu, iwi, and family group;" and "Avoid the alienation of children from their family, whanau, hapu, iwi, and family group." I am also conscious of the need to meet the terms of my Performance Agreement with the Minister of Social Welfare to, amongst other things, review Social Welfare programmes and services to ensure that they are culturally appropriate and produce improved welfare outcomes for Maori.

My vision is for a Department which contributes to, and reflects, a fair and just society where there is equality of opportunity. Everything we do in the Department of Social Welfare should be contributing to this. There are many ways in which Maori are taking responsibility for initiatives to improve their well-being. Our role is to join with them in a spirit of partnership consistent with the principles I have referred to above.

The purpose of this document is to set out the direction in which we will give effect to our role. We need clarity of purpose so that staff at all levels will know what is expected of them and will gain the satisfaction of doing it well. We need to anchor our bicultural direction in such a way that it will not come loose again.

Our anchor (Te Punga) will be the understanding we will achieve in each business unit and in every worksite of the underlying principles of -

1. The Treaty of Waitangi
2. Puao-te-Ata-tu
3. The State Sector Act 1988 (Section 56)
4. The Children, Young Persons and Their Families Act 1989 and their application to the key results areas.

We are going to succeed in our direction through achievements in the following key results areas -

- EEO
- developing a bicultural workplace
- working with Iwi

"Te Punga" has the firm commitment of all of the Department's senior management. We are determined to overcome our history of monocultural biases. Everyone in the Department must accept responsibility to produce results. Let that be a significant contribution, from which we can all take pride, to the achievement of a fair and just society.



**MARGARET BAZLEY**  
**Director-General of Social Welfare**

## Introduction

A question which has been asked many times is "Why do you keep talking about *bicultural* development for the Department? Our staff and the people we help are from many ethnic backgrounds. Why not *multicultural* development?"

That is a very fair question. If we really do see the point that a person from another culture has aspirations, hopes and fears just as we do, has needs and rights as we all have - including the need to be treated with respect and courtesy, then why aren't we considering all cultures? After all, if we are to do our jobs well and be good colleagues we ought not to be selective about which groups we try to understand.

The simple answer is that very few New Zealand Pakeha are already truly bicultural. [Many other non-Maori New Zealanders (particularly immigrants) can lay claim to being bicultural - but not in the sense of Maori being the other culture]. And few, if any, of us are capable of gaining sufficient understanding of all (over 100) cultures other than our own which are represented in New Zealand. *If we can get to know and understand something of at least one other culture, the principles we will have picked up will help us relate more effectively to many other cultures.*

Then why Maori? There is a simple answer here too. Maori were on this land before the rest of us. They are the *tangata whenua* - the people of the land. They have rights guaranteed under the Treaty of Waitangi and the Government has (and therefore we have) an obligation, based on the Treaty, to relate to Maori in a spirit of partnership.

If we can get it right with the Maori people, then we shall be on the way to getting it right with all peoples. And that is the ultimate aim if we are to achieve a fair and just society.

Getting it right means understanding that our goal is not "to treat everyone the same". Because everyone is not the same (the same as *who?*). In some ways each of us is like *all* other people and in some ways we are like *some* other people. At the same time each of us is absolutely *unique*. It is important to recognise all three dimensions if we are to treat others as we would like to be treated ourselves.

Getting it right for Maori means, for example,

- Maori perspectives are a key part of policy development and service delivery.
- The Department as an organisation in which Maori are comfortable being Maori in the workplace.
- Maori have equal access to employment opportunities within the Department.
- Cultural skills are utilised effectively and recognised.
- All staff are culturally aware and sensitive to Maori needs, customs and issues.
- Appropriate links are in place with local iwi, hapu and whanau.
- There is active promotion of policies and practices which will result in improved outcomes and greater well-being for Maori.

This booklet sets out an overall Department of Social Welfare framework for bicultural development. Each business unit will develop its own approach to fit within the Departmental framework. Each will want to ensure that our strategy will be anchored firmly in place and that it will succeed.

## What the Treaty of Waitangi Means to the Department of Social Welfare

The Treaty of Waitangi, which was signed in 1840, is, fundamentally, an agreement between the Crown and Maori. The Crown acts on behalf of all the people in New Zealand, including Tangata Whenua.

If we are to abide by the principles of the Treaty we need to understand this historic document and how it is relevant to the Department of Social Welfare in the 1990's and beyond.

There are two versions of the Treaty of Waitangi, one in Maori and one in English. Neither version is an exact translation of the other. To gain an adequate appreciation of the Treaty and its principles both versions need to be considered. There is a significant difference of interpretation between the two versions and this is the subject of much debate. The English version was for a long time considered the "official version". However the Treaty of Waitangi Act (as amended in 1985) includes both versions and makes no reference as to which should take precedence. Therefore, in terms of New Zealand law, both versions have equal weight. However, international law suggests that weight should be given to the Treaty as it would have been understood by the indigenous people at the time of its signing. This view has informed a number of the Waitangi Tribunal decisions.<sup>1</sup>

Both versions contain three articles which set the basis for relationships between the parties. Both the English version and the translation of the Maori (Professor Sir Hugh Kawharu) are in the middle of this publication.

At the time of signing the Treaty, the British Crown considered it a serious document - both valid and legally binding. However, this recognition weakened until, by 1877, New Zealand courts held that the Treaty had no legal status in domestic law.

In 1975 the Treaty of Waitangi Act was passed. This established the Waitangi Tribunal. The Tribunal could initially look at Maori grievances relating to the Treaty dating only from the establishment of the Tribunal. The Act was further amended in 1985 permitting the Tribunal to examine claims against the Crown dating back to the signing of the Treaty on 6 February 1840.

In 1987 the Court of Appeal considered the principles and relevance of the Treaty of Waitangi.

*1. Refer "Te Wakahuia o Puao-te-Ata-tu (Social Policy Agency)*



The full court unanimously confirmed the partnership established by the Treaty and the duty of both Maori and non-Maori to act 'reasonably and in good faith' towards each other. The Chairman of the Waitangi Tribunal, Chief Judge Eddie Durie, stated at that time that the principles of the Treaty "are not diminished by time, rather it takes time to perfect them."

The Treaty continues today as a living document, the founding document for our nation.

In noting that the Treaty partners are the Crown and Maori we should take care in considering who to deal with in terms of representing Maori. The New Zealand Maori Council was recognised by the Government and some iwi as acting in this role with respect to several of the cases which went to the Court of Appeal. However, other iwi *do not* regard the Council as representing the views of all iwi. Since the court cases, iwi have expressed their demands to be recognised as the appropriate representatives. In 1990 the Maori Congress was established, with one of its aims being to provide a coordinated voice for iwi to government. However, it is still limited in this role in that not all iwi are represented on it. Iwi themselves are represented by a variety of trust boards, authorities and runanga; the history, composition and mandate of which vary from iwi to iwi. In most cases they are selected by iwi members. Most recently, it has been recognised that iwi can only fulfil their role in terms of the Treaty with the agreement of their constant hapu. This means that the Government and its agencies need to be careful in identifying who is empowered to act on behalf of each iwi and hapu when considering matters under the Treaty.

## Principles for Crown Action on the Treaty of Waitangi

The Treaty of Waitangi was signed by both Maori and non-Maori representatives and *it is therefore binding on both Maori and the Crown to honour the Treaty*. As partners under the Treaty, Maori and non-Maori both have rights guaranteed to them. The Crown has the right of governance over hapu and hapu have rights of tino rangatiratanga over lands, forests, fisheries, taonga, etc.

In 1988 the State Sector Act set out, amongst other things, the requirements for government departments to introduce measures to improve the delivery of government programmes and services to Maori communities. This is aimed at ensuring that all New Zealanders are given the best possible opportunity to develop according to their wishes and to realise their aspirations.

For this Department to progress towards full responsiveness to the needs and aspirations of Maori it is necessary for us all to embrace the principles of the Treaty of Waitangi and to reflect them in our day to day operations.

In 1989, the Government set out the principles by which it will act when dealing with issues that arise from the Treaty. These principles have not been rescinded and continue to provide a reference for Crown action on the Treaty. The five principles are subsumed within one overriding principle - the Principle of Partnership.

The Principle of Partnership obliges the Treaty partners to behave towards one another with the utmost good faith. This will result in honesty of purpose by both parties and an effort to ascertain facts and to recognise the obligations and entitlements of all.

The five principles<sup>2</sup> for Crown action on the Treaty of Waitangi are:

**Principle 1: *The Principle of Government***

***The Kawanatanga Principle***

The Government has the right to govern and to make laws.

**Principle 2: *The Principle of Self Management***

***The Rangatiratanga Principle***

The iwi have the right to organise as iwi, and, under the law, to control their resources as their own.

**Principle 3: *The Principle of Equality***

All New Zealanders are equal before the law.

**Principle 4: *The Principle of Reasonable Cooperation***

Both the Government and the iwi are obliged to accord each other reasonable cooperation on major issues of common concern.

**Principle 5: *The Principle of Redress.***

The Government is responsible for providing effective processes for the resolution of grievances in the expectation that reconciliation can occur.

2. Justice Department, 1989. *Principles for Crown Action on the Treaty of Waitangi*

## The Principles & the Department of Social Welfare

### Principle 1: *The Kawanatanga Principle*

**EXPLANATION:** The Principle of Government. The first article of the Treaty gives expression to the right of the Crown to make laws and its obligation to govern in accordance with constitutional process. This sovereignty is qualified by the promise to accord the Maori interests in the second article an appropriate priority.

**COMMENT:** *As a Department charged with developing and administering legislation and policy affecting the lives of New Zealanders we need to be continuously aware of and responsive to the aspirations and interests of Maori. The legislation and policy we administer are for the benefit of all New Zealanders but this principle requires us to explore and recognise Maori interests and entitlements. This should be achieved by building a close working relationship with the tangata whenua. The views of local iwi or hapu should be recognised in the way the law is administered with regards to Maori.*

### Principle 2: *The Rangatiratanga Principle*

**EXPLANATION:** The Principle of Self Management. The second article of the Treaty guarantees to iwi Maori the control and enjoyment of those resources and taonga which it is their wish to retain. The preservation of a resource base, restoration of iwi self management and the active protection of taonga, both material and cultural, are necessary elements of the Crown's policy of recognising Rangatiratanga.

**COMMENT:** *The 'possessions' and 'taonga' referred to in this Principle include language and other cultural treasures. Taonga also include children, young persons and elders. We must respect and actively protect the cultural treasures of Maori and encourage greater understanding by all staff. Our dealings with matters involving Maori land, children and young persons, older people, and funding assistance on an individual or collective basis, must be handled with sensitivity to Maori expectations and in full consultation with iwi. Recognition should also be given to Te Reo Maori as a taonga and the right of Maori customers to use it in their dealings with the Department. Provision should be made for appropriate payment and/or koha for cultural services and advice. Particular concern must be given to any land, water or other resources administered by the Department, or through other agencies under Department of Social Welfare legislation, which are, or could be subject to claims to the Waitangi Tribunal.*



### Principle 3: *The Principle of Equality*

**EXPLANATION:** The third article of the Treaty constitutes a guarantee of legal equality between Maori and other citizens of New Zealand. This means that all New Zealand citizens are equal before the law. Furthermore, the common law system is elected by the Treaty as the basis for that equality although human rights accepted under international law are incorporated also.

The third article also has an important social significance in the implicit assurance that social rights would be enjoyed equally by Maori with all New Zealand citizens of whatever origin. Special measures to attain that equal enjoyment of social benefits are allowed by international law.

**COMMENT:** *As a Department carrying out statutory functions dealing with a large and varied cross-section of society it is essential that our public contacts are seen as fair, equitable and just. We must be aware of the cultural differences between Maori and non-Maori, and where any inequity exists we must take appropriate action to address that inequity. This extends to all aspects of our operations including employment and career policies where there is a specific requirement to recognise the employment needs of Maori people in terms of the State Sector Act. We need to ensure that measures are put in place in policy and service delivery, as well as in staff practices. This is based on the concept that equality of outcomes may require a range of different approaches for different peoples.*

*It should be noted that there is considerable debate surrounding this principle. Through articles 1 and 3, the rule of British law was legitimised in New Zealand. However, Maori did not, at the same time, renounce their existing rights and privileges, except in as much as they interfered with kawanatanga and rights as British subjects. Where there is no conflict with British (and now New Zealand) common law, or where common law is silent, Maori traditions and law can be taken into account. Examples include land tenure and resource allocation. In terms of the Department this is pertinent to the exercise of guardianship by iwi. However, we need to note that Maori traditional rights need to be exercised within the framework of New Zealand law (statute and common) and that Parliament and the Courts still have the final say.*

### Principle 4: *The Principle of Cooperation*

**EXPLANATION:** The Treaty is regarded by the Crown as establishing a fair basis for two peoples in one country. Duality and unity are both significant. Duality implies distinctive cultural development and unity implies common purpose and community. The relationship between community and distinctive development is governed by the requirement of cooperation which is an obligation placed on both parties to the Treaty.

Responsible cooperation can only take place if there is consultation on major issues of common concern and if good faith, balance and common sense are shown on all sides. The outcome of reasonable cooperation will be partnership.

**COMMENT:** *Cooperation is when two or more work with "utmost good faith"<sup>3</sup> to achieve the same outcome. For such cooperation to take place a principle of fairness, which leads to an atmosphere of trust and mutual respect, must be present. To create this atmosphere management in each business unit must ensure that frank and open dialogue takes place between Maori and non-Maori and that staff take every opportunity to involve local Maori in the planning and decision making process (including policy development and design of service delivery).*

### Principle 5: The Principle of Redress

**EXPLANATION:** The Crown accepts a responsibility to provide a process for the resolution of grievances arising from the Treaty. This process may involve Courts, the Waitangi Tribunal or direct negotiation.

The provision of redress, where entitlement is established, must take account of its practical impact and of the need to avoid the creation of fresh injustice. If the Crown demonstrates commitment to this process of redress then it will expect reconciliation to result.

**COMMENT:** *The Department has a responsibility to act, within its statutory powers, on any grievances under the Treaty raised by hapu.*

*To ensure that the Department acts on grievances, misunderstandings or injustices which may occur between the Department and Maori or any other New Zealanders an ongoing monitoring of our service delivery needs to be established.*

*Accordingly, regular reviews of the effectiveness and efficiency of our service delivery to iwi in particular are to be undertaken within each business unit. Where shortcomings are identified, they are to be resolved in consultation with the local Tangata Whenua.*

*Not all grievances will be able to be solved in this way, as the Department may not have the power to act on them. In such cases the grievance will need to be referred either through the Waitangi Tribunal or for direct negotiation with the Crown. Hapu consultation is a means of pre-empting the development of grievances under the Treaty. Regular reviews, monitoring and proper review and complaint procedures are also mechanisms for avoiding grievances. They need to take account of the requirements of the Treaty and should be clearly available to all customers.*

*"Maori people argue that the definition of good government referred to in Article I of the Treaty requires a sensible balance between Articles II and*

<sup>3</sup> From Court of Appeal Decisions

*III, rather than an undue emphasis on one or the other. Moreover, they consider that the debate as to how Maori well-being within the total New Zealand society is to be achieved should be one in which they are fully involved, from the outset. Their often voiced concern is that policy is made about and for Maori without Maori participation. In their view, this in itself is a failure to govern well.".....*

*"What Maori require as individuals and as a collective is no more than the rest of the population enjoys. They require sound and reasonable government, with an expectation of security and protection of their rights. They require that their collective interests in resources and assets proven to have been unlawfully alienated from them, be honourably restored to them or compensated for on an agreed basis, following the due process of law. They require that their individual rights as citizens be upheld.*

*Why then, are these normal, acceptable, long held expectations so unreasonable and so unrealistic for Maori? Why, after decades of governmental institutional failure, is there such reluctance to try to work with the dynamic of Maori structures and processes? ...*

*What is required is that Public Service managers need to define their professionalism in a way that ensures Maori receive equitable treatment until parity has been achieved. It will be possible at that time to discuss equality and possibly even uniformity of treatment.*

*Until there are sufficient numbers of well trained senior Maori Public Service managers it is not possible to talk of bicultural policy development or bicultural implementation of policy or of a bicultural policy environment.....*

*At this time in our development, it would be desirable but not essential, if Public Service managers could also be informed and sensitive, and responsive to cultural differences between Maori and Pakeha. If they cannot, then the least Maori should be able to expect is that they will receive in the same measure the vast range of skills and abilities that managers bring to every other aspect of their job. This is not asking for special treatment. It is demanding equity of performance. It is requiring professionalism of Public Service managers."<sup>4</sup>*

<sup>4</sup> Hekia Parata, Hui Whakapūnau, August 1994

## Bicultural Development within the Department of Social Welfare

### *A Rear-Vision Mirror View*

Since its establishment in 1972, the Department of Social Welfare has been concerned at the disproportionately high numbers of Maori in the welfare system compared with the general population.

In 1982 a Human Rights Commission Report drew attention to "serious and substantial" questions surrounding the Department's treatment of young Maori in its residential institutions.

In 1984, a Maori Advisory Unit was established in the Department's Auckland Regional Office with three Maori staff to advise on policy and programmes to meet the special needs of Maori people. This unit identified shortcomings in the Department's responses to its Maori clients. In a 1985 report the Unit *concluded that the Department was racist in the institutional sense; it was a typical hierarchical bureaucracy with rules which reflected the values of the dominant Pakeha society.* It reported that Maori input to policy was negligible and that insistence on professional qualifications for social work and policy staff frequently disadvantaged Maori applicants.

Also in 1985 a group of women staff in Auckland - the Women's Anti-Racist Action Group (WARAG) - sent a report to the then Minister of Social Welfare and the then Director-General in which WARAG had also concluded that institutional racism existed in the Department. It raised such fundamental questions that the Minister (Hon Ann Hercus) decided that a different approach would have to be taken if the Department were not to be perceived as culturally biased in structure, procedure and policy. The Minister acted quickly and established a ministerial committee to advise her on a Maori perspective for the Department of Social Welfare.

### *Puao-te-Ata-tu: A New Dawn*

The Ministerial Advisory Committee was required to investigate and report to the Minister on "*the most appropriate means to achieve the goal of an approach which would meet the needs of Maori in policy, planning and service delivery in the Department of Social Welfare.*"

It is interesting to note the make up of the Committee which comprised four prominent Maori community people and three top public servants including the then Director-General of Social Welfare, Mr John Grant. The Committee's Chairman was Mr John Rangihau, a prominent Tuhoe kaumatua who died in October 1987.

The Committee held 65 meetings on marae and in Departmental offices and institutions around the country, as well as regular meetings in Wellington. In marae meetings the Committee listened to Maori clients of the Department expressing "frustration, anger and alienation". The messages they heard were frequently "flavoured with hope, unfulfilled expectations, pride and aroha. The angry sense of powerlessness (was) not matched with a sense of hopelessness."

In July 1986 the Ministerial Advisory Committee presented its report "Puao-te-Ata-tu" to the Minister. She and her colleagues immediately endorsed the report's 13 recommendations. It was a landmark report which had the Department of Social Welfare poised to act at the cutting edge of perhaps the most significant change ever made in the New Zealand public service.

Within the Department the report resulted in the establishment of new structures which enabled Maori views to be heard. The impact of Puao-te-Ata-tu was also evident in changes to income support policies and practices, and in staff training and the overall departmental culture. Although some of the structural changes did not endure, they led to heightened awareness throughout the Department of the importance of the bicultural approach. Perhaps the most significant application of the principles of Puao-te-Ata-tu can be seen in the widely acclaimed Children, Young Persons and Their Families Act 1989.

Every current staff member and new recruit should gain some familiarity with Puao-te-Ata-tu and note its recommendations. The three appendices to the report make easy and exciting reading. They provide a colourful perspective on the roots of dependency, the Treaty of Waitangi and the many "faces of racism".

### *The Spirit and Principles of Puao-te-Ata-tu*

The essential spirit of Puao-te-Ata-tu lies in its commitment to partnership. It looks to the needs, interests and aspirations of Maori within the wider New Zealand society in which all peoples have a share. It seeks justice and equity (fairness for Maori). It seeks an end to racism, not the substitution of one form for another. It recognises the inherent dignity of Maori and of all people and sees a need for Maori to break away from a cycle of dependency. It emphasises the culturally defined place of the child in Maori society and views with confidence the roles of iwi, hapu and whanau in providing a strong system of succour and guidance for their children. Above all, Puao-te-Ata-tu cries out for the understanding of other peoples that Maori is strong, it is dynamic, it is culturally and spiritually rich and it has the ability/potential to look well to the needs of its people.

To accomplish its goals, Maoridom needs the willingness of non-Maori to act in good faith and to join with Maori in honest partnership. Sometimes this will mean working together. Sometimes it will require non-Maori to share resources in such a way that Maori can apply them in its own unique way to its own unique needs.

The principles of Puao-te-Ata-tu have to do with -

- the redressing of historical imbalances
- a commitment to end all forms of racism
- the allocation of an equitable share of resources to Maori
- incorporating the values, cultures and beliefs of the Maori people in all policies
- attacking and eliminating deprivation and alienation
- ensuring that Departmental recruitment, staffing and training policies do not disadvantage Maori
- recognising and utilising appropriately different skills of Maori staff
- ensuring that communication practices take account of the needs of Maori and other ethnic groups
- promoting/funding schemes which harness the initiative of Maori and the wider community to address problems
- ensuring effective coordination of planning, policy, and practice to tackle serious economic and social problems.

## What is Meant by a Bicultural Approach

The Department of Social Welfare *Corporate Plan for Fiscal 1995* states:

*"It is the responsibility of managers at all levels to recognise and promote a bicultural approach within the statutory and policy dictates for which the Department is held accountable by the Crown."*

The term "bicultural approach" is based on the definition of 'Biculturalism' in Puao-te-Ata-tu (pp 19-20). It states:

*"The Committee sees biculturalism as the appropriate policy direction for race relations in New Zealand. It is considered as the essential prerequisite to the development of a multicultural society."*

*In our view policies and social objectives rooted in the concept of multiculturalism are commonly used as a means of avoiding the historical and social imperatives of the Maori situation. These should be addressed in a context of bicultural policy."*

*When applied to the functioning of the Department of Social Welfare we interpret biculturalism as the sharing of responsibility and authority for decisions with appropriate Maori people."*

*In functional terms we are concerned that decisions should be founded on the right information obtained from the right people. We perceive a social and cultural partnership here - not separatism."*

*Biculturalism involves understanding and sharing the values of another culture, as well as understanding/or preserving another language and allowing people the choice of the language in which they communicate officially."*

*Biculturalism also means that an institution must be accountable to clients of all races for meeting their particular needs according to their cultural background, especially, in the present case, Maori."*



## The Way Ahead

Many in the Department, and not just the Maori staff, have made it clear that they have been very disappointed in the apparent waning of commitment to Puao-te-Ata-tu over the past few years. There is an urgency for those who want to see the spark rekindled. The 4 regional hui held in 1994 have provided pointers to the way ahead.

The strategies which follow on from the Policy Statement below are based to a considerable extent on the hui recommendations. Priority will be given to addressing four broad categories, policy and service delivery, management, staff matters and sensitivity to customer needs, which require attention in order to anchor our bicultural approach. Short, medium and long term strategies have been identified for each of the latter three categories.

Progress with implementing these strategies will be monitored and reported on regularly.

### *Policy and Service Delivery*

Accepting our obligations to the Treaty involves a shift in attitudes and a revision of the cultural assumptions which underpin social policy and planning of service delivery. It is not simply a matter of adding a tangata whenua flavour to existing assumptions. The challenge of the Treaty and of Puao-te-Ata-tu is to ensure that our advice to Government, and our service delivery planning, addresses tangata whenua needs in tangata whenua terms.<sup>5</sup>

#### **Key Results Areas**

1. Develop an effective partnership with Maori.
2. Develop relevant information and research.
3. Identify the economic and social development issues for Maori at the policy development stage.
4. Identify the effects of policy proposals for Maori economic and social development.
5. Communicate the findings to our clients (Government/Minister).
6. Monitor the implementation of policy and service delivery planning decisions to check whether they are achieving the desired outcome for Maori.
7. Monitor the outcomes for Maori of existing policy and the suitability of existing service delivery modes.
8. Advise clients (Government/Minister) of the means to address shortfalls or build on successes.

<sup>5</sup> Adapted from "Te Wakahuia o Puao-te-Ata-tu paper 4, page 8

### *Strategic Result Areas*

1. Develop a strategic framework for policy development for Maori
2. Develop a strategic framework for service delivery planning for Maori

### *Short Term Strategies (Year 1)*

#### **Management**

ACTION	RESPONSIBILITY
Include in all District or Area Managers' Performance Agreements a requirement to establish contact and maintain regular liaison with the mana whenua iwi of a district to discuss service issues, improvements required in service delivery and engage in information sharing	<i>General Managers</i>
Each Business Unit to hold follow up regional hui for Maori staff with senior and middle managers to: <ul style="list-style-type: none"><li>• develop business specific strategies</li><li>• establish support networks</li><li>• determine frequency of meetings</li></ul>	<i>General Managers</i>
Each Business Unit to arrange meetings with non-Maori staff by office, area or region to: <ul style="list-style-type: none"><li>• outline business commitment to bicultural approach</li><li>• obtain staff commitment to bicultural service</li></ul>	<i>General Managers, Regional &amp; Area Managers</i>
Include in all General Managers' Performance Agreements a requirement to ensure that programmes and services of each Business Unit are culturally appropriate and likely to improve the well-being of Maori	<i>Director-General</i>

## Staff Matters

ACTION	RESPONSIBILITY
Ensure the provision of suitable Maori management training for those Maori staff who have been identified as having management potential	<i>All Managers</i>
Introduce an effective orientation and induction programme for all new staff which includes a workshop on the Treaty of Waitangi and business specific minimum competency requirements for demonstrating bicultural sensitivity	<i>HR Managers/Advisers</i>
Support training for Maori staff, especially young staff, at courses (tertiary or marae) teaching Maori language	<i>All Managers</i>
Actively recruit Maori staff by utilising media that Maori are likely to notice. Examples include advertising - <ul style="list-style-type: none"> <li>• by direct approach to local iwi organisations</li> <li>• In Maori newspapers and on Maori radio</li> <li>• by inviting staff to identify Maori who could be suitable for a particular position</li> </ul>	<i>All Managers/HR Advisers</i>
Ensure that, in cases where a Maori perspective is appropriate or a requirement, all interview panels have at least one local Maori person on the panel who is involved in all stages of the selection and interview process. Also ensure that the Maori person has been	

ACTION	RESPONSIBILITY
<p>approached on the basis that they:</p> <ul style="list-style-type: none"> <li>• know something about the area of work in which the appointee will operate</li> <li>• are familiar with the needs of the local area</li> <li>• are able to assess applicants' commitment to a bicultural approach</li> <li>• (where relevant) are able to assess Maori language fluency</li> </ul>	
<b>Sensitivity to Customers</b>	
<p>Each Business Unit to specify in Business Plans the minimum bicultural requirements for staff include -</p> <ul style="list-style-type: none"> <li>• correct pronunciation of basic Maori words</li> <li>• knowledge of who is mana whenua in an area</li> <li>• knowledge of Puao-te-Ata-tu</li> <li>• knowledge of Treaty of Waitangi</li> </ul>	<p><i>General Managers, Regional &amp; Area Managers</i></p>
<p>Ensuring iwi representation on Care and Protection Resource Panels</p>	<p><i>All NZCYPS Managers</i></p>
<p>Make it a requirement to identify iwi affiliation of all Maori customers/clients. In cases where Maori customer/client is unwilling or unable to provide this information staff should make reasonable efforts to encourage them or assist them to find out for themselves</p>	<p><i>All Managers &amp; staff</i></p>
<p>Encourage fluent Maori speaking staff to be involved in front-line work if Maori customers indicate a preference for dealing with their issue in their own language</p>	<p><i>All Managers</i></p>

## *Medium Term Strategies (Years 1 to 3)*

### **Management**

<b>ACTION</b>	<b>RESPONSIBILITY</b>
Implement an objective, publicly accountable process for verification that managers are meeting their responsibilities for delivering culturally sensitive services	<i>General Manager Corporate Services to design; General Managers to implement</i>
Report quarterly on the meetings held with iwi organisations and the actions taken on any issues that arise	<i>All NZISS, NZCYPS &amp; NZCFA Output Managers</i>
Undertake appropriate training to improve knowledge and understanding about iwi structures, Maori language, beliefs and values and the Treaty of Waitangi	<i>All Managers</i>
Include requirement in Managers' Performance Agreements that they gain a good working knowledge of the community which their office serves and identify key result areas against which they will be measured	<i>Director-General, General Managers, Regional/Area Managers</i>

### **Staff Matters**

Assess job descriptions and selection criteria for cultural and gender neutrality	<i>General Manager Corporate Services</i>
Develop departmental traineeship programme for recruiting young Maori - to involve - <ul style="list-style-type: none"> <li>planned work experience in each area of the department</li> <li>systematic assessment of placements</li> <li>appointment of a mentor for the duration of the traineeship</li> </ul>	<i>General Manager Corporate Services</i>

ACTION	RESPONSIBILITY
<ul style="list-style-type: none"> <li>• appointment procedures for trainees wishing to remain with DSW</li> <li>• procedure for assisting trainees to locate employment outside of DSW</li> </ul>	
<p>Enable Maori staff to carry out tertiary or other study and develop a career plan at the completion of the study which takes account of the skills and qualifications gained</p>	<i>All Managers</i>
<p>Encourage all Maori staff to attend courses for their personal cultural development</p>	<i>All Managers</i>
<p>Enable non-Maori staff to attend courses for developing understanding and knowledge of Maori culture</p>	<i>All Managers</i>

### *Long Term Strategies (Years 3 to 5)*

#### **Management**

ACTION	RESPONSIBILITY
Ensure that supervision of Maori staff is provided by persons able to coach staff both professionally and from a cultural perspective	<i>General Managers</i>
Negotiate with relevant industry bodies to ensure that education and training programmes are relevant to the work of Social Welfare and meet the needs of all staff	<i>General Managers</i>

#### **Staff Matters**

Establish recruitment bursaries for young Maori which involves tertiary study as the first responsibility of employment, with the course to be determined on the basis of the particular field of work for which the young Maori is being recruited. Clear policy guidelines to be formulated to ensure that the application of this strategy is of mutual benefit to the bursar and the Department	<i>General Managers with General Manager Corporate Services</i>
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#### **Sensitivity to Customers**

Promote and support the partnership between iwi and DSW in developing iwi based services through appropriate approval, funding and resourcing regimes	<i>General Managers</i>
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## The Treaty of Waitangi - *English*

Her Majesty Victoria Queen of the United Kingdom of Great Britain and Ireland regarding with Her Royal Favour the Native Chiefs and Tribes of New Zealand and anxious to protect their just Rights and Property and to secure to them the enjoyment of Peace and Good Order has deemed it necessary in consequence of the great number of Her Majesty's Subjects who have already settled in New Zealand and the rapid extension of Emigration both from Europe and Australia which is still in progress to constitute and appoint a functionary properly authorised to treat with the Aborigines of New Zealand for the recognition of Her Majesty's Sovereign authority over the whole or any part of those islands - Her Majesty therefore being desirous to establish a settled form of Civil Government with a view to avert the evil consequences which must result from the absence of the necessary Laws and Institutions alike to the native population and to Her subjects has been graciously pleased to empower and to authorise me William Hobson a Captain in Her Majesty's Royal Navy Consul and Lieutenant Governor of such parts of New Zealand as may be or hereafter shall be ceded to Her Majesty to invite the confederated and independent Chiefs of New Zealand to concur in the following Articles and Conditions.

### *Article the First*

The Chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without reservation all the rights and powers of Sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess, or may be supposed to exercise or possess over their respective Territories as the sole Sovereigns thereof.

### *Article the Second*

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession but the Chiefs of the United Tribes and the individual Chiefs yield to Her Majesty the exclusive right of Preemption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.

### *Article the Third*

In consideration thereof Her Majesty the Queen of England extends to the Natives of New Zealand Her royal protection and imparts to them all the Rights and Privileges of British subjects.

## Te Tiriti o Waitangi - *Maori*

Ko Wikitoria te Kuini o Ingarani i tana mahara atawai ki nga Rangatira me nga Hapu o Nu Tirani i tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga me to ratou wenua, a kia mau tonu hoki te Rongo ki a ratou me te Atanoho hoki kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira - hei kai wakarite ki nga Tangata maori o Nu Tirani - kia wakaaetia e nga Rangatira maori te Kawanatanga o te Kuini ki nga wahikatoa o te Wenua nei me nga Motu - na te mea hoki he tokomaha ke nga tangata o tona Iwi Kua noho ki tenei wenua, a e haere mai nei.

Na ko te Kuini e hiahia ana kia wakaritea te Kawanatanga kia kaua ai nga kino e puta mai ki te tangata Maori ki te Pakeha e noho ture kore ana.

Na, kua pai te Kuini kia tukua a hau a Wiremu Hopihona he Kapitana i te Roiara Nawi hei Kawana mo nga wahi katoa o Nu Tirani e tukua aianei, amua atu ki te Kuini, e mea atu ana ia ki nga Rangatira o te wakaminenga o nga hapu o Nu Tirani me erea Rangatira atu enei ture ka korerotia nei.

### *Ko te tuatahi*

Ko nga Rangatira o te Wakaminenga me nga Rangatira katoa hoki kihai i uru ki taua wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu - te Kawanatanga katoa o o ratou wenua.

### *Ko te tuarua*

Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira ki nga hapu - ki nga tangata katoa o Nu Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te Wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te Wenua - ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

### *Ko te tuatoru*

Hei wakaritenga mai hoki tenei mo te wakaaetanga ki te Kawanatanga o te Kuini. Ka tiakina e te Kuini o Ingarani nga tangata maori katoa o Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.

## Translation of Maori - *Professor Sir Hugh Kawharu*

Victoria, the Queen of England in her concern to protect the chiefs and the subtribes of New Zealand in her desire to preserve their chieftainship and their lands to them and to maintain peace to them and good order considers it just to appoint an administrator one who will negotiate with the people of New Zealand to the end that their chiefs will agree to the Queen's Government being established over all parts of this land and (adjoining) islands, and also because there are many of her subjects already living on this land and others yet to come.

So the Queen desires to establish a government so that no evil will come to Maori and European living in a state of lawlessness.

So the Queen has appointed me, William Hobson a captain in the Royal Navy to be Governor for all parts of New Zealand (both those) shortly to be received by the Queen and (those) to be received hereafter and presents to the chiefs of the Confederation chiefs of the subtribes of New Zealand and other Chiefs these laws set out here.

### *The First*

The Chiefs of the Confederation and all the Chiefs who have not joined that Confederation give absolutely to her Majesty the Queen of England for ever the complete government of their land.

### *The Second*

The Queen of England agrees to protect the Chiefs, the Subtribes and all the people of New Zealand in the unqualified exercise of their chieftainship over their lands, villages and all their treasures. But on the other hand the Chiefs of the Confederation and all the Chiefs will sell land to the Queen at a price agreed to by the person owning it and by the person buying it (the latter being) appointed by the Queen as her purchase agent.

### *The Third*

For this agreed arrangement therefore concerning the Government of the Queen, the Queen of England will protect all the ordinary people of New Zealand and will give them the same rights and duties of citizenship as the people of England.

