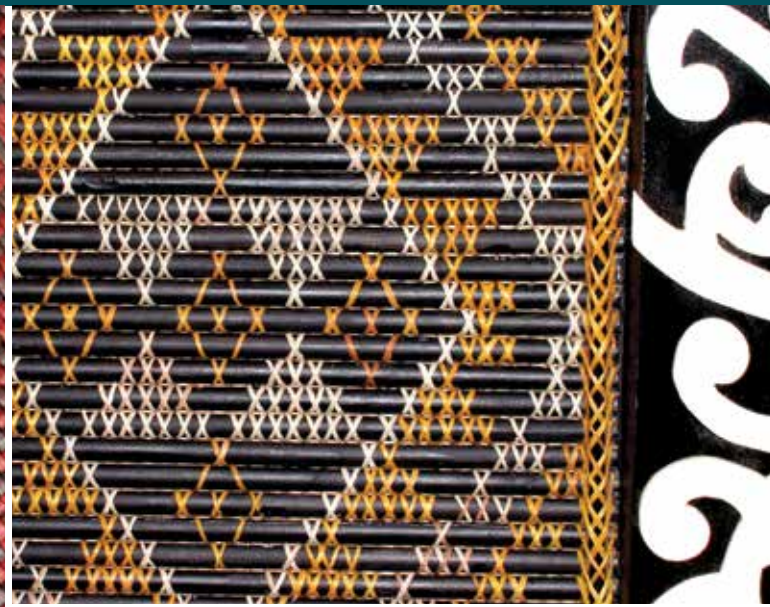
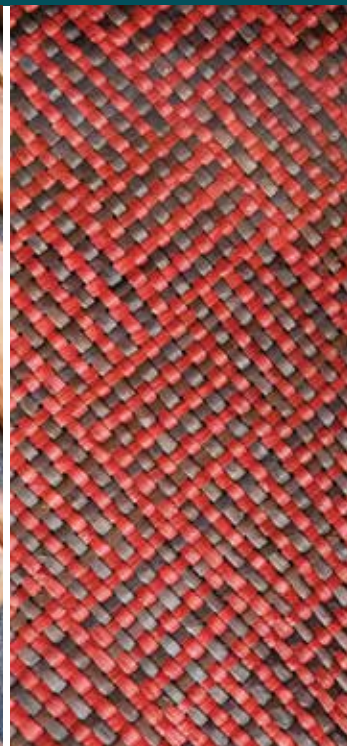




MEMORANDUM OF UNDERSTANDING

BETWEEN
WAIKATO DISTRICT HEALTH BOARD
AND IWI WITHIN ITS DISTRICT





INTRODUCTION

1.0 The Parties

- 1.1 The Waikato District Health Board is a statutory corporation established under the New Zealand Public Health and Disability Act 2000.
- 1.2 The Iwi (Ngāti Maniapoto, Hauraki, Waikato-Tainui, Raukawa, Ngāti Tuwharetoa, Whanganui), Te Rūnanga O Kirikiriroa (Urban Māori Authority) and Kaunihera Kaumātua represent the interests of Māori within the area of the Waikato DHB.
- 2.0 Definitions
- 2.1 Board means the Waikato District Health Board.
- 2.2 The Iwi and Te Rūnanga O Kirikiriroa means Ngāti Maniapoto, Hauraki, Waikato-Tainui, Raukawa, Ngāti Tuwharetoa, Whanganui, and Te Rūnanga O Kirikiriroa, Kaunihera Kaumātua (Council of Māori Elders from within the area of the Waikato DHB).
- 2.3 Statutory committees mean committees as required under the Act and any other newly formed statutory committees.
- 2.4 Council means the Iwi Māori Council.
- 2.5 The Act means the New Zealand Public Health & Disability Act 2000.
- 2.6 The Provider-arm means services that are directly delivered by the DHB, these are not contracted services.
- 2.7 The Kaunihera Kaumātua representatives are the appointed Chair of the Waikato DHB Kaunihera Kaumātua and one other member of the Kaunihera

3.0 The Act

- 3.1 The Act provides for mechanisms to enable Māori to contribute to decision-making on, and to participate in the delivery of, health and disability services.
- 3.2 These mechanisms include:
 - A prescribed function of establishing and maintaining processes to enable Māori to participate in, and contribute to, strategies for Māori health improvement.
 - A prescribed function of fostering the development of Māori capacity for participating in the health and disability sector and for providing for the needs of Māori.
 - Providing for Māori representation on the advisory committees required by the Act.

THE BOARD AND IWI MĀORI COUNCIL AGREE AS FOLLOWS:

4.0 The Values

- 4.1 People at heart – Te Iwi Ngākaunui
- 4.2 Give and earn respect – Whakamana
- 4.3 Listen to me – talk to me – Whakarongo
- 4.4 Fair play – Mauri Pai
- 4.5 Growing the good – Whakapakari
- 4.6 Stronger together – Kotahitanga

5.0 Relationship

- 5.1 Te Tiriti o Waitangi (The Treaty of Waitangi) shall guide the relationship between the Iwi Māori Council and the Waikato DHB Board. This relationship is founded on the principles of:

Partnership – working together with iwi, hapū, whānau and Māori communities to radically improve Māori health outcomes and reduce Māori health inequities, and to develop appropriate health and disability services.

Participation that requires Māori to be involved at all levels of the health and disability sector, including in decision-making and planning and development roles and the delivery of health and disability services.

Protection which requires the Government to safeguard Māori cultural concepts, values and practices, and to ensure that Māori have at least the same level of health as non-Māori.

- 5.2 That their relationship shall be built on good faith, honesty and integrity, shall be maintained in a spirit of commitment and cooperation and shall be recognised as developing over time on the basis of mutual trust.
- 5.3 That the cultural norms and values of the Waikato DHB on the one hand and the Iwi on the other shall be acknowledged, preserved and promoted in their relationship.
- 5.4 That Iwi, Te Rūnanga O Kirikiriroa are legitimate representatives of Mana whenua and maata waka and that Kaunihera Kaumātua are recognised as contributors to the maintenance and upkeep of tikanga and kawa within the district of the Waikato DHB and that the Waikato DHB is the body appointed to ensure the provision of health and disability services within its district.
- 5.5 That no party to this agreement shall take any action or participate in any activity that may adversely affect this Statement and associated documents, or any party to them.
- 5.6 To endeavour in good faith to meet the Board's obligations with respect to Māori under the New Zealand Public Health and Disability Act 2000.
- 5.7 To be committed to work collaboratively at a strategic level to achieve the goals pertaining to the impact of health and disability services on Māori.
- 5.8 To consider the appointment of representatives nominated by the Council to the statutory committees.
- 5.9 To acknowledge that consultation by the Board with the Iwi shall occur through the Council but without restricting the Council's right to suggest more extensive consultation with third parties.



6.0 Goals

- 6.1 The overarching goal of this collaborative relationship is to radically improve Māori health outcomes, and to reduce health inequities.
- 6.2 The Council and the Board will give effect to this overarching goal by jointly supporting the following Māori health strategic priorities:
- Radical improvement in Māori health outcomes by eliminating health inequities for Māori.
 - Promoting the implementation of the philosophy of Whānau Ora.
 - Radical improvement of mainstream responsiveness to Māori health needs.
 - Ensure the growth of sustainable Kaupapa Māori health services.
 - Remove barriers for Māori experiencing disabilities.
 - To increase and build a sustainable Māori workforce to contribute to the delivery of excellent culturally appropriate services.
 - To grow future Māori leadership in the Health and Disability Sector at governance, and service delivery levels.

7.0 Roles and Responsibilities

- 7.1 The Board and Council will work together on activities associated with planning of health services in the Waikato DHB district.
- 7.2 The Board and Council will take responsibility for the activities listed below.
- 7.2.1 The Board will:
- (a) Involve the Council in matters relating to the development and planning of significant health initiatives in the Waikato DHB district.
 - (b) Involve the Council in decision making processes that may have a significant impact on Iwi Māori within the Waikato DHB district.
 - (c) Feedback information to the Council on significant matters that may impact on the health of Māori within the Waikato DHB district.
 - (d) Move towards ensuring every provider and employee who receives DHB funding will actively contribute to and be accountable for achieving radical improvements in Māori health outcomes, and eliminating Māori health inequities. These requirements will be stipulated in provider contracts and employee key performance indicators.
- 7.2.2 The Council will:
- (a) Recognise the Board as the body appointed to ensure the provision of health and disability services and Māori representation under the Act.
 - (b) Acknowledge that consultation aligned to the Treaty of Waitangi, by the Board with the Iwi shall occur through the Council and that the Board shall be deemed to have discharged any obligation to bring matters to the attention of Iwi in requesting that such matters be placed on the agenda of the Council.
 - (c) Maintain a Council to undertake those responsibilities set out in the terms of reference.
 - (d) Operate the Council in accordance with the requirements set out in the terms of reference.
 - (e) Involve the Board in matters relating to the development and planning of Māori health.

- (f) Ensure that the Board is informed of decisions that are made by the Council that may have an impact on the Board.
- (g) Feedback information to hapū / iwi o Tainui, Tuwharetoa, Whanganui and maata waka on matters which may impact on the health of Māori living within the Waikato DHB district.
- (h) Assist the Board, in conjunction with the Kaunihera Kaumatua, in any matters relating to Māori customs and Tikanga (rules of conduct).
- (i) Nominate representatives for appointment to the statutory advisory committees to be rotated every three years.

8.0 Ngā Hui / Joint Meetings

- 8.1 The parties will give effect to the Memorandum of Understanding through the following:
- (a) At least 2 meetings per annum between the Board and IMC.
 - (b) The relationship between the Board and the Council will be reviewed by June of each year as an agenda item to either of the agreed meeting per annum.
 - (c) A relationship between the Council Chair, Deputy Chair and the Board Chair and Chief Executive Officer based on quarterly meetings between them.
 - (d) The Board Chair is expected to attend Iwi Māori Council meetings (where possible).
 - (e) The Chair of the Iwi Māori Council is able to attend Waikato DHB Board meetings as an ex-officio member.
- 8.2 All meetings shall observe the appropriate Tikanga and Kawa and be conducted according to the protocols and procedures of the host party.
- 8.3 When required, the parties may nominate and engage independent meeting facilitators selected by mutual agreement.
- 8.4 Written record of the resolutions of these meetings shall be kept and when required, circulated as an action list to each party's principal representative. Resolutions will be mutually agreed by both parties.
- 8.5 Subject to the provisions of the Official Information Act 1982, no record of these meetings shall be circulated beyond the representatives of the parties without prior approval of the respective principal representatives.
- 8.6 The parties shall provide secretarial services for meetings from their own resources as required.
- 8.7 Each party shall be entitled to adjourn meetings by simple verbal notification for the purpose of holding a "caucus" meeting, but no such adjournment shall exceed one hour.

AMENDMENT OF AND WITHDRAWAL FROM MEMORANDUM

9.0 Review of Memorandum

- 9.1 This Memorandum shall be amenable to amendment by agreement of all parties to it at the time amendment is proposed. Review should occur every three years from the date it is given effect.
- 9.2 The parties to this memorandum shall be free to withdraw from it upon giving three months' notice to the other parties.



10.0 Signatories

Waikato District Health Board

Maniapoto Māori Trust Board

Hauraki Māori Trust Board

Te Rūnanga O Kirikiriroa (Urban Maori Authority)

Tuwharetoa Māori Trust Board

Waikato Tainui Te Whakakitenga o Waikato Inc

Raukawa Charitable Trust

Ngā Tāngata Tiaki o Whanganui Trust

Kaumātua Kaunihera Representative

Date: _____

TERMS OF REFERENCE OF THE IWI MĀORI COUNCIL

Purpose


The purpose of Iwi Māori Council in conjunction with Waikato DHB Board will provide strategic leadership and oversight on all matters pertaining to the impact of health and disability services on Māori. The Memorandum of Understanding between the Board and Iwi Māori Council articulates the intent and contribution of both parties.

Specific responsibilities

- The Iwi Māori council membership: Iwi means Ngāti Maniapoto, Hauraki, Waikato-Tainui, Raukawa, Ngāti Tuwharetoa, Whanganui, and Te Rūnanga O Kirikiriroa (Maata Waaka) and the Kaunihera Kaumātua (Council of elders)
- So far as this is practicable, to affirm the Iwi Māori Council's position as a primary advocate for Māori at the strategic level in relation to the Board, and to do this by maintaining a strategic overview of the Board's activities and advising where these activities are not considered to reflect the interests of Māori
- To respond to the Board, either directly or following the completion of consultation undertaken by the Council itself, on all matters in respect of which the Board seeks advice collectively from Iwi, Te Rūnanga O Kirikiriroa and the Kaunihera Kaumātua.
- To raise with the Board at its own initiative any matters relating to the other specific responsibilities of the Council including the need to obtain further information as a prerequisite to effective decision making.
- To advise on an appropriate process of consultation where such consultation is proposed to extend beyond consultation with the Council itself.
- To maintain a strategic overview of the Board's programme in respect of identifying and addressing particular areas of concern in relation to Māori health.
- In relation to the responsibilities mentioned above, to maintain a strategic overview of, and provide comment on and input to the Board on its Strategic Plan, Annual Plan and Statement of Intent.
- To nominate persons to represent Māori on the statutory committees of the Waikato DHB.
- To actively participate in the induction and orientation of newly appointed Board and Iwi Māori Council members and the priority given to Māori health gain within the Waikato DHB district.
- To review from time to time in conjunction with the Board these Terms of Reference.

Operational requirements of the Iwi Māori Council

- 1) The Iwi Māori Council shall comprise two members from each of the Iwi, two representatives from the Kaunihera Kaumātua and two representatives from Te Rūnanga O Kirikiriroa.
- 2) The Iwi, Te Rūnanga O Kirikiriroa and the Kaunihera Kaumātua shall be free to appoint their respective members to the Iwi Māori Council as they see fit.
- 3) The Iwi, Te Rūnanga O Kirikiriroa and the Kaunihera Kaumātua shall advise the Board of their members appointed to the Iwi Māori Council and of any subsequent change to their members.
- 4) The Iwi, Te Rūnanga O Kirikiriroa and the Kaunihera Kaumātua may send a replacement(s) should their members on the Iwi Māori Council be unable to attend a meeting of the Council so long as the total number of attendees does not exceed two.
- 5) The Iwi Māori Council shall appoint a Chair from within its membership, by any manner deemed appropriate and utilise a rotational option of three years with a maximum of 6 years total or two terms maximum.

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- 6) The Iwi Māori Council shall appoint a Deputy Chair from within its membership, by any manner deemed appropriate and utilise a rotational option of three years with a maximum of six years total or two terms maximum
 - 7) The Iwi Māori Council shall not meet less frequently than once every three months and shall have a maximum of 10 paid meetings per annum except with the consent of the Board. This shall not, however, preclude the Council holding informal (that is unpaid and not reimbursed) meetings as often as it requires.
 - 8) The members or replacements shall receive a fee for the attendance of their members at meetings of the Iwi Māori Council of \$250 per meeting per person. This fee will be paid to the individual unless specified by their representing entity (in which case the fee will be paid directly to the representing entity).
 - 9) The Chair shall receive an annual payment of \$12,500.00 and the Deputy Chair shall receive an annual payment of \$6,240, paid on a monthly basis.
 - 10) Members of the Iwi Māori Council shall upon submission of a claim form be reimbursed for expenses incurred in attending meetings of the Iwi Māori Council at the same rate as Board members. Payment of any additional actual and reasonable expenses incurred by the Iwi Māori Council or its members e.g. training expenses shall be approved by the Chief Executive of the Waikato DHB.
 - 11) The point of origin for determining the reimbursement of expenses shall be the member's normal residential address.
 - 12) The Iwi Māori Council shall meet at a location determined by the Council within the district of the Board.
 - 13) The Iwi Māori Council shall be serviced by Te Puna Oranga.
 - 14) The Board will receive the minutes of the Iwi Māori Council.
 - 15) The Iwi Māori Council shall set its own agendas. However, the Board through the Te Puna Oranga secretariat, request that specific items be considered by the Council.
 - 16) For each of the statutory committees the Iwi Māori Council shall recommend one person (who may or may not be a member of the Council) to be a member. The term should not exceed three years.
 - 17) The persons recommended by the Iwi Māori Council to the membership of the statutory committees shall be chosen having regard to the skills and expertise required by the committees as advised to the Iwi Māori Council by the Board at any time that a vacancy arises.
 - 18) In making recommendations for the appointment of persons to the statutory committees, the Iwi Māori Council shall recognise that the Board has authority, in law, to determine who shall be appointed and cannot restrict its responsibility to do so in favour of another party.
 - 19) Where a recommendation of the Iwi Māori Council is not appointed by the Board, the Council shall have the opportunity to make a further recommendation.

Constraints

The Council shall not concern itself with the following:

- (1) Decisions of Waikato DHB, Māori providers and other private providers to the extent that such decisions concern business planning, the welfare of individual patients or groups of patients or operational management.
- (2) Employment matters arising in relation to Waikato DHB, Māori providers and other private providers to the extent that such matters concern individual employees or positions. Except where a key management position for Te Puna Oranga is being considered.