



Terms of reference

Pūhara Mana Tangata

December 2019

This document sets out the Terms of Reference for the Chief Ombudsman's Māori advisory panel, Pūhara Mana Tangata.

Purpose

One of the highest priorities for the Chief Ombudsman is to be more responsive to tangata whenua and better integrate Te Ao Māori into the Office of the Ombudsman.

The Chief Ombudsman acknowledges the partnership between Māori and the Crown established by the Treaty of Waitangi and recognises its significance in their work of independently overseeing Crown agencies. The Chief Ombudsman is committed to developing mutually beneficial relationship with Māori which is built on trust and understanding and is long-term, collaborative and sustainable.

As part of this strategy, the Chief Ombudsman has established Pūhara Mana Tangata (Pūhara) as a Māori advisory panel.

Pūhara will:

- comprise a cohort of prominent senior Māori leaders and other external experts representing a range of age groups and Te Ao Māori experience
- meet the needs of the Chief Ombudsman with the provision of broad, wide-ranging Te Ao Māori advice, support and guidance in their communication and engagement processes with Māori.

The purpose of Pūhara is to provide Te Ao Māori expertise and intellectual cultural capital, as well as guidance and assistance to the Chief Ombudsman.

The Chief Ombudsman may, in their judgement, choose to contribute this Te Ao Māori cultural guidance to other staff as appropriate.

Role

The principal objectives are to assist the Chief Ombudsman in their communications and engagement activities including:

1. championing the work of the Chief Ombudsman and their unique constitutional role as an Officer of Parliament
2. providing Te Ao Māori perspectives on internal capability and cultural competencies
3. providing advice on Crown and Māori relations, with a focus on Treaty of Waitangi obligations including guidance, interpretation and the application of the principles of the Treaty
4. providing advice on any issues that have an impact on relations between Māori and the Chief Ombudsman and their office and, where necessary, challenging assumptions and perspectives
5. providing advice and support on managing effective and meaningful communication and engagement with Māori
6. providing Te Ao Māori perspectives and thoughts on the identification and development of suitable programmes which could enhance the strategic direction of the Chief Ombudsman and promote their relationship and engagement with Māori.

The role does not include any operational or investigative functions.

Membership

The membership of Pūhara comprises:

- prominent, senior Māori leaders (no more than five members)
- other Māori experts representing a range of age groups and Te Ao Māori experience (no more than three members).

Also:

- membership is by invitation of the Chief Ombudsman
- the Chief Ombudsman is the Chair of Pūhara (or appoints an Acting Chair in their absence)
- the Chief Ombudsman will draw upon the expertise of the members where most appropriate
- the Chief Ombudsman may engage separately with individual members as necessary
- the Chief Ombudsman may call on staff to attend and provide advice to Pūhara
- other practitioners, experts and experienced people may also be invited at the invitation of the Chief Ombudsman.

Any appointed member may resign at any time by giving written notice to that effect to the Chief Ombudsman.

Conflict of interest

Members of Pūhara will be asked to complete a conflicts of interest register. Further, any member proactively considering any new possible conflicts are trusted to identify them and bring them to the attention of the Chief Ombudsman. The Chief Ombudsman is committed to addressing all disclosures of possible conflicts of interest in a sensitive and reasonable manner.

Term of participation

The usual term of an individual's participation in Pūhara will be 12 months. There will be a provision for a further term. However, the period of this is at the discretion of the Chief Ombudsman.

The term of the inaugural panel will be for 13 months until December 2020.

The Chair

The Chair will preside at all meetings of Pūhara at which they are present. The Chair may request another member of Pūhara to preside at any meeting when the Chair is not present.

It will be the duty of the Chair, or person acting in the position of the Chair as the case may be, to approve the agenda for the meeting and any minutes for review and circulation and ensure the agenda, relevant papers and minutes are circulated in a timely manner. The Chair is also responsible for the efficient and orderly conduct of meetings and of the business of Pūhara.

Operation

Hui

Pūhara hui will be chaired by the Chief Ombudsman (or they will appoint an Acting Chair in their absence).

Hui will usually convene at the Office of the Ombudsman's Wellington premises and be conducted on a formal basis, including a record of meeting minutes.

The Chief Ombudsman will facilitate Pūhara to arrive at its own agreed procedure subject to the following:

- Pūhara will approach its work from a Te Ao Māori perspective
- agenda items and work of the panel will be approved by the Chief Ombudsman
- all views and opinions provided by members will be received and treated respectfully and in confidence

- members will be encouraged to bring different thinking to these hui. These views may be challenging, but will be received with respect
- all public statements relevant to the work of Pūhara, whether from the Office of the Chief Ombudsman or from Pūhara members and their own organisations, will be approved by Pūhara before being released
- members will proactively disclose any perceived conflicts of interests as a standing item at the start of each hui
- Pūhara will support open and honest discussions and work in an inclusive and accessible way.

Frequency

It is envisaged that the Pūhara will meet four times per financial year.

However, it is also envisaged that the Chief Ombudsman may require additional hui due to any urgency or kaupapa as the need arises.

From time to time, individual members may be asked by the Chief Ombudsman to provide advice on particular issues or projects outside of the scheduled meeting times.

Reporting

A member of the Office of the Ombudsman's Communications Team, together with administrative support, will liaise with the Chief Ombudsman and Pūhara on emerging issues or follow up on agreed matters.

The minutes of these hui will be circulated to the Office's Senior Management Team, Strategic Advice Team and other staff at the discretion of the Chief Ombudsman.

Pūhara may request reports or the attendance of an individual or group it considers may have information that contributes to the matter under discussion.

Administrative support

A member of the Communications Team, together with administrative support, will:

- ensure that members receive all available and relevant information at least seven days in advance, to fully prepare for hui
- ensure that members receive the necessary time and resources to actively participate in hui
- coordinate hui agenda, distribution of papers and recording minutes for each hui
- manage the attendance of any individual or group that may be required to provide further information
- manage logistics and expenses for every hui.

Remuneration

The daily fee for all members will be determined by the Chief Ombudsman in accordance to their own policy.

The daily fee is for any reading or other preparation required in advance of, attending and participating at hui.

Costs and expenses

The following costs and expenses will be met, upon appropriate invoicing.

- travel costs of one-day, roundtrip airfare and other travel costs to and from hui in accordance with Ombudsman policy
- taxis to and from airports, including parking costs incurred on hui days
- lunch, morning and afternoon teas will be provided on hui days.

The cost or purchase of additional expertise, material or reports will be met at the discretion of the Chief Ombudsman.

Review

This document is reviewable at the end of the first year of the term and at the beginning of each new term.