Title
Describe relevance and application of the principles of the Treaty of Waitangi in the workplace

Level
3

Credits
5

Purpose
People credited with this unit standard are able to describe the relevance of the principles of the Treaty of Waitangi to, and explain the application of the principles of the Treaty of Waitangi in, the workplace.

Classification
Māori Business and Management > Māori Management - Generic

Available grade
Achieved

Recommended skills and knowledge
Unit 16049, Compare the English and Māori versions of te Tiriti o Waitangi/ the Treaty of Waitangi, or demonstrate equivalent skills or knowledge.

Explanatory notes
1. This unit standard is designed for people with little working knowledge of the Treaty of Waitangi, and who are working in an environment with Māori clients and/or staff. The candidate may be working at any level of the organisational structure.

2. Resource support includes:
A guide to the principles of the Treaty of Waitangi as interpreted by the Waitangi Tribunal and the Courts, has been produced by Te Puni Kōkiri, Ministry of Māori Development entitled He Tirohanga o Kawa ki te Tiriti o Waitangi.
Another document which draws together some statements by the courts, the Waitangi Tribunal, and the Government in New Zealand regarding the interpretation and application of the principles of the Treaty was Waitangi, was prepared as an appendix to the Rangahaua Whānui National Overview, and can be downloaded at http://www.waitangi-tribunal.govt.nz/treaty/principles.asp.
These two documents serve as the basis of this unit standard.

3. Definitions
Workplace, for the purpose of this unit standard, does not just refer to an office, but also refers to any context or setting in which the candidate is operating while performing tasks or duties specified by work. Working with tangata whenua takes place in a variety of settings. People must have an awareness, not only of the tikanga pertaining to Māori people in general, but also the specific tikanga applying to the iwi and rohe or takiwā in which they are working. People must be able to recognise
language variations, differences in kawa and tikanga, and be aware of waiata pertaining to certain iwi and rohe or takiwā.

Principles of The Treaty of Waitangi include:

Protection –
- considered primarily in regard to the property interests guaranteed to Māori under Article II of the Treaty
- active duty ie more than a passive obligation or recognition of right
- extent of obligation depends on prevailing circumstances and vulnerability of the taonga in question
- located in the fundamental exchange recorded in the Treaty – the cession of sovereignty for the guarantee of tino rangatiratanga
- broad interpretation arising from the entire text of the Treaty:
  - a duty to protect Māori as a people and as individuals, in addition to their property
  - Crown’s duty to actively protect tino rangatiratanga and Māori capacity to retain tribal authority over tribal affairs and to live according to their cultural preferences
  - Crown cannot avoid its duty by delegating its responsibility to local authorities or other bodies.

Partnership –
- ‘the Treaty relationship is ‘akin to a partnership’
- includes duties of good faith, reasonableness, and the honour of the Crown
- the Treaty partnership does not necessarily describe a relationship where the partners share national resources equally
- derived from the principles of reciprocity and of mutual benefit
- includes the obligation on both parties to act reasonably, honourably, and in good faith
- emphasises the need for recognition, respect, accountability, compromise, and a balancing of interests.

Participation –
- an aspect of the obligation to act in good faith
- the duty to consult is not absolute
- consultation is required on truly major issues
- consultation should be conducted with ‘open-mindedness’ and ‘sufficient information’ to enable ‘intelligent and useful responses’
- emphasises the value and utility of consultation in upholding and strengthening the Treaty partnership
- consultation required on matters that infringe on tino rangatiratanga
- the degree and type of consultation required in a given instance may vary depending on what is needed for the Crown to make an informed decision
- consultation processes should take into account Māori preferences.

Outcomes and evidence requirements

Outcome 1

Describe the relevance of the principles of the Treaty of Waitangi to the workplace.

Range includes but is not limited to – partnership, protection, participation.

Evidence requirements
1.1 The principles of the Treaty of Waitangi are described in terms of their relevance to the workplace.

**Outcome 2**

Explain the application of the principles of the Treaty of Waitangi in the workplace.

**Range** includes but is not limited to – partnership, protection, participation.

**Evidence requirements**

2.1 How the principles of the Treaty of Waitangi are currently applied in the workplace are explained in terms of practices and processes.

**Range** one practice, one process.

2.2 How the principles of the Treaty of Waitangi can be applied to the workplace are explained in terms of contemporary practices and processes.

**Range** one contemporary practice, one contemporary process.

**Planned review date**

31 December 2021

**Status information and last date for assessment for superseded versions**

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**Consent and Moderation Requirements (CMR) reference**

0113


**Please note**

Providers must be granted consent to assess against standards (accredited) by NZQA, before they can report credits from assessment against unit standards or deliver courses of study leading to that assessment.

Industry Training Organisations must be granted consent to assess against standards by NZQA before they can register credits from assessment against unit standards.

Providers and Industry Training Organisations, which have been granted consent and which are assessing against unit standards must engage with the moderation system that applies to those standards.
Requirements for consent to assess and an outline of the moderation system that applies to this standard are outlined in the Consent and Moderation Requirements (CMR). The CMR also includes useful information about special requirements for organisations wishing to develop education and training programmes, such as minimum qualifications for tutors and assessors, and special resource requirements.

Comments on this unit standard

Please contact the NZQA Māori Qualifications Services mqs@nzqa.govt.nz if you wish to suggest changes to the content of this unit standard.