

Title	Demonstrate knowledge of Te Tiriti o Waitangi/Treaty of Waitangi in respect to the public sector		
Level	5	Credits	5

Purpose	<p>This unit standard is intended for people who are employed in the public sector.</p> <p>People credited with this unit standard are able to:</p> <ul style="list-style-type: none"> – explain the importance of Te Tiriti o Waitangi/Treaty of Waitangi and its principles with regard to the public sector; – describe the influence of the Treaty on the public sector; – describe the functions and authority of government organisations that manage Treaty issues.
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Classification	Public Sector Services > Public Sector Māori
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Available grade	Achieved
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Guidance Information

- 1 Recommended unit standard for entry:
Unit 14950, *Describe Te Tiriti o Waitangi/Treaty of Waitangi and its application in the public sector.*
- 2 References
A searchable list of public sector organisations, of other names that organisations are commonly known by, or have previously been known by, see the Government A-Z at <https://www.govt.nz/organisations/>.
Gover, Kirsty; Hancock, Frances. *He Tirohanga o Kawa ki te Tiriti o Waitangi: A guide to the Principles of the Treaty of Waitangi as expressed by the Courts and the Waitangi Tribunal* (Wellington: Te Puni Kōkiri, 2001), available at <https://www.tpk.govt.nz/en/a-matou-mohiotanga/crownmaori-relations/he-tirohanga-o-kawa-ki-te-tiriti-o-waitangi>.
Joseph, Philip, A. *Constitutional and Administrative Law in New Zealand*, 4th ed. (New Zealand: Thompson Reuters, 2014).
Palmer, Sir Geoffrey and Palmer, Matthew. *Bridled Power: New Zealand's Constitution and Government*, 4th ed. (Auckland: Oxford University Press, 2004).
- 3 Legislation
Conservation Act 1987;
Education and Training Act 2020;
Environment Act 1986;
Fisheries Act 1996;
Local Government Act 2002;
Māori Fisheries Act 2004;

Treaty of Waitangi Act 1975;
 Resource Management Act 1991;
 State-Owned Enterprises Act 1986;
 Public Service Act 2020;
 Te Ture mō Te Reo Māori/Māori Language Act 2016;
 Treaty of Waitangi (Fisheries Claims) Settlement Act 1992;
 and all subsequent amendments and replacements.

4 Definitions

Public sector organisations comprise the state sector organisations plus those of local government. Within the state sector lies the state services, and within this lies the core public service.

Te Tiriti o Waitangi refers to the Māori language text of the Treaty.

The principles of the Treaty refer to the core concepts that underpin the Treaty. The Court of Appeal and the Waitangi Tribunal have developed a number of detailed principles, of these the principles of 'partnership', 'active protection', and 'redress' are considered dominant.

The Treaty refers to both the Māori and English language texts considered as a whole.

Treaty of Waitangi refers to the English language text of the Treaty.

5 Assessment Range

Evidence of application of Te Tiriti o Waitangi/Treaty of Waitangi should come from within the candidate's workplace.

6 Performance of outcomes of this unit standard will require consideration of the underlying values and responsibilities of people working in the public sector including standards of integrity and conduct and the Treaty of Waitangi and its principles.

Outcomes and performance criteria

Outcome 1

Explain the importance of Te Tiriti o Waitangi/Treaty of Waitangi and its principles with regard to the public sector.

Performance criteria

1.1 Explain the constitutional significance of the Te Tiriti o Waitangi/Treaty of Waitangi.

Range examples may include but are not limited to – New Zealand's founding document, the relevance of the Treaty in the New Zealand constitution, kāwanatanga, partnership; evidence of three examples is required.

1.2 Explain the Court of Appeal and Waitangi Tribunal findings in terms of principles of the Treaty.

Range evidence of three findings is required.

1.3 Explain the evolution of government interpretation of those Court of Appeal and Waitangi Tribunal findings.

1.4 Explain the significance and application of statutory references to the principles of the Treaty.

Range examples may include but are not limited to – Resource Management Act 1991, Education and Training Act 2020, Treaty of Waitangi (Fisheries Claims) Settlement Act 1992, Māori Fisheries Act 2004, State Sector Act 1988, State-owned Enterprises Act 1986, Conservation Act 1987, Environment Act 1986, Māori Language Act 2016; evidence of three different statutory references is required.

Outcome 2

Describe the influence of the Treaty on the public sector.

Performance criteria

2.1 Describe how the conventions and practices of the public sector are influenced by the Treaty.

Range examples may include but are not limited to – significant matters affecting the application of the principles of the Treaty, identification of Māori interests, consultation with relevant Māori community or communities, use of acceptable processes in consulting with Māori, provision of regular feedback to Māori parties, assessment of financial and resource implications; evidence of four examples is required.

2.2 Describe how a public sector organisation has incorporated the Treaty into its work.

2.3 Describe the relevance of the principles of the Treaty, if applicable, to the candidate's own work.

Outcome 3

Describe the functions and authority of government agencies that manage Treaty issues.

Performance criteria

3.1 Describe the functions and authority of the Office of Treaty Settlements and a description of a recent case study in terms of a Treaty issue.

3.2 Describe the functions and authority of the Waitangi Tribunal and a description of a recent Tribunal report.

- 3.3 Describe the functions and authority of one other government agency that provides advice to public sector agencies on Treaty issues.

Range may include but is not limited to – Te Puni Kōkiri, Crown Law Office.

Planned review date	31 December 2025
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Status information and last date for assessment for superseded versions

Process	Version	Date	Last Date for Assessment
Registration	1	31 August 1998	31 December 2012
Revision	2	21 August 2001	31 December 2012
Review	3	27 May 2003	31 December 2012
Review	4	25 October 2007	31 December 2012
Review	5	14 April 2011	31 December 2023
Rollover and Revision	6	17 August 2017	31 December 2023
Review	7	27 May 2021	N/A

Consent and Moderation Requirements (CMR) reference	0121
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

Comments on this unit standard

Please contact The Skills Organisation info@skills.org.nz if you wish to suggest changes to the content of this unit standard.