

PARIHAKA PAPA KĀINGA TRUST
‘The Trust’

TE HĀPAI MANA TANGATA

(Code of Conduct Policy Document)

CONTENTS

1. INTRODUCTION	2
2. PURPOSE OF CODE	3
2.1. Coverage	3
2.2. Papakāinga Reservation and Reserves	3
2.3. Principles	4
2.4. Papakāinga Values	5
3. THE TRUST'S EXPECTATIONS OF PAKAKĀINGA PARTICIPANTS ..	6
3.1. Defining Papakāinga Participants	6
3.2. Trust's Expectations of Papakāinga Participants	7
3.3. Response to Inappropriate Behaviour of Papakāinga Participants	8
Conduct Incident Flow-Chart	9
Conduct Incident Form	10
3.4. Forms of Violence	12
3.5. Actions Taken in Response to Verified Incidents	13
3.6. Possible Restorative Approaches to Inappropriate Behaviour	14
4. THE TRUST'S EXPECTATIONS OF TRUSTEES	15
4.1. Expectations of Conduct for Trustees	15
4.2. Unacceptable Behaviour by Trustees	16
5. THE TRUST'S EXPECTATIONS OF STAFF/CONTRACTORS	18
5.1. Expectations of Conduct for Staff/Contractors	18
5.2. Obligations of the Trust to Staff	19
5.3. Performance of Duties	19
5.4. Seeking Permission	20
5.5. Unacceptable Behaviour by Staff/Contractors	20
6. CONFLICTS OF INTEREST	21
6.1. Conflicts of Interest and Integrity	22
6.2. Gifts and Rewards	22
6.3. Unacceptable Behaviour	22
7. BREACHES OF CONDUCT BY TRUSTEES/STAFF/CONTRACTORS ..	23
7.1. Disciplinary Action	23
7.2. Disciplinary Action Procedure	24
8. ACKNOWLEDGEMENT OF RECEIPT OF CODE OF CONDUCT	25
Signed and kept on file	

1. INTRODUCTION

The Hāpai Mana Tangata (Code of Conduct policy) document approved by Parihaka Papakāinga Trust (the Trust) provides the following guidelines for determining the standard of behaviour deemed acceptable within the Parihaka papakāinga. Acceptable standards of behaviour should reflect:

- a) the tikanga and knowledge of Parihaka in the late 1800s and early 1900s;
- b) the shared learnings and experiences of Parihaka's recent past;
- c) the aspirations of the Parihaka community for its future development;
- d) the norms of contemporary Māori society for personal and collective rights;
- e) the parameters of legal authority of the reservation and social justice; and,
- f) the Trust's expectations for continuous improvement, leadership and integrity.

The standards are also guided by a core set of Parihaka-based principles associated with the legacy of Tohu Kākahi and Te Whiti o Rongomai. They form broad parameters of acceptable behaviour and practice, including:

- non-violent conflict resolution;
- equality and equity;
- self-determination;
- self-sufficiency; and,
- collective and community development.

The Trust has a moral and legal responsibility to ensure the safety and well being of everyone on the papakāinga and also to role-model high standards of behaviour, attitude and commitment. We recognise the importance of maintaining consistency in a strong policy process for demonstrating good governance practice and continuing with the integrity of Te Tikanga established by Tohu, Te Whiti and the leaders of Parihaka. All Trustees and staff of the Parihaka Papakāinga Trust are expected to personally and professionally adhere to and exemplify the standards expressed here.

In return, the Trust has an expectation for a high standard of behaviour by beneficiaries, residents and others who visit or participate in activities associated with Parihaka Papakāinga. It is a two-way commitment that benefits everyone, as well as ensuring safety for all.

Te Hāpai Mana Tangata is made available to Trustees and beneficiaries to become fully familiar with its content.

Parihaka Papakāinga Trust Chair

2. PURPOSE OF THE CODE

The purpose of Te Hāpai Mana Tangata is to provide clear protocols and guidance to the Parihaka Papakāinga Trustees, Trust employees, the Papakāinga reserve beneficiaries, Papakāinga residents, and to Parihaka participants (i.e. people involved in activities associated with Parihaka), around conduct and behaviour.

2.1. Coverage

Te Hāpai Mana Tangata applies directly to all Trustees as well as employees or contractors of the Parihaka Papakāinga Trust. It is based on principles and values held in common by the community of Parihaka and has been highly relevant since the time of Tohu and Te Whiti. As a result of collective support from within Parihaka, Te Hāpai Mana Tangata also extends the expectation that these standards be maintained among residents, visitors and beneficiaries of Papakāinga who are residing in the Papakāinga or otherwise engaged in activities associated with Parihaka.

2.2. Papakāinga Reservation and Reserves

The physical area under the responsibility of the Parihaka Papakāinga Trust is the immediate land area of the reservation, 19.6070 hectares in total. The land was set aside under the authority of section 439 of the Māori Affairs Act 1953. Its administration is now subject to section 338(7) of Te Ture Whenua Act 1993 and the Māori Reservations Act 1994. The Trust also has some level of responsibility over a series of former Parihaka communal living areas along the coast set aside for cultivations, fishing, food gathering practices and at times were used for residential purposes. That authority has yet to be formally determined. However until such time the authority is held in conjunction with local hapu of Taranaki Iwi and potentially in some cases, reserve shareholders. It is expected that people living on the reservation and any of the reserves will be subject to the conditions of this Papakāinga policy.

2.3. Principles

Parihaka was established with a distinct set of principles that guided expectations of behaviour and activity associated with the community. Five of those principles are detailed here as a foundation for this policy document. They are overarching concepts that help guide discussion on what constitutes appropriate behaviour and how the legacy of Tohu and Te Whiti is enhanced.

- 1) **Non-violent Conflict Resolution:** Parihaka strongly advocates the principles of respect, empowerment and well-being while taking active steps to reject all forms of violence and abuse. If conflict does arise adequate care will be given to finding positive and empowering solutions for all parties without resorting to abuse or demeaning behaviour.

‘Ka kuhuna te patu, ka puru te toto’

‘Weapons will be sheathed and the impact of violence will cease’

- 2) **Equality and Equity:** Parihaka holds to the principle that people do not hold status over another either by way of birth, wealth, belief, learning, sex, age, role, position or sexual orientation. The community determines the roles of those who engage the activities of the Papakāinga and all roles have value. Consideration is given to empowerment and the building of skills, knowledge and experience for all community members.

‘E tū nei te hunga ririki’

‘The meek will stand up’

- 3) **Self-determination:** Parihaka is resolved to be in control of its own future, to identify and express its aspirations and to work as a collective in reaching those goals. The community is encouraged to hold self-belief and to find solutions to whatever difficulties that may confront it.

‘Ka pae au e noho ki runga i taku waka, ki a Te Manawanui’

‘I come aboard the waka I have fashioned, its name is Resilience’

- 4) **Self-sufficiency:** Parihaka has aspired to be self-sustaining with strength in physical, cultural, intellectual and economic capability, meeting the needs of its community and those who choose to engage within Parihaka’s events and activities. In order to achieve this goal, Parihaka seeks to re-establish practices and values that effectively manage available resources and invest in creating and enhancing new capacities.

‘Kua hari, kua koa, kua tū Te Tikanga’

‘I am confident and resolved within the principles that have been set in place’

- 5) **Community Development:** Parihaka represents a unique form of ‘lived community’. Working together as a collective is consistent with the concept of ‘Rongo’ and the practices of collective action. Community cohesion is the underlying resource to give effect to the legacy of Tohu and Te Whiti.

‘Tui atu, tui mai o tāua nei ringaringa’

‘Our hands are bound to one to another’

2.4. Papakāinga Values

Since its establishment Parihaka has advanced values that supported community, whānau and personal empowerment that set a foundation for the legacy of Tohu and Te Whiti. These values are interdependent and should individual needs be otherwise compromised then our values provide guidance in determining appropriate action. The identified values include:

Tika: Maintain integrity of principles and practices that are appropriate as determined by the collective by way of active discussion and consensus decision-making while also giving regard to principles and practices from the times of Tohu and Te Whiti.

Pono: Maintain integrity of statements, processes and practices that are open, sincere and truthful. Within the limitations of what is practical and where the rights of individuals are not unduly compromised, the community will encourage free and frank discussion on issues that affect them as equal participants.

Aroha: Maintain integrity of the care and protection for people both in these times and the future. All people regardless of their background will be treated with respect and empathy particularly in times of heightened tension and potential for abuse (inclusive of emotional, psychological, cultural and physical forms of harm). Similarly, that future generations are protected where the environment and resource made available to beneficiaries in the future is sufficient for the continuity of their right Parihaka, to peace and community well-being.

Mana Atua: Maintain integrity of principles of belief and spiritual strength both when held in common as well as when forms of belief are not shared. All people within Parihaka will be given the opportunity to participate in and contribute to discussion, shared practice and development projects where their spiritual beliefs will be respected insofar as they remain consistent with the five principles described above and the other values detailed in this section.

Mana Tangata: Maintain integrity of working as a collective for common good placing value and trust in shared development. The activities of a minority should not be detrimental to the minority, while at the same time, activities of the majority should give robust debate and discussion for the impacts on the minority. Consensus decision making will demonstrate full opportunity has been given to alternative perspectives within the limits of time and resource practicably available to the community.

3. TRUST'S EXPECTATIONS OF THE PAPA KĀINGA PARTICIPANTS

People who are involved in Parihaka may draw their connection with the legacy of Tohu and Te Whiti from a number of different perspectives. It is true to say that at this point in time there is debate about who should be deemed appropriate to participate in Parihaka. The designation of the Parihaka Papakāinga Block refers to "the common use of the followers of Erueti Te Whiti and Tohu Kakahi". Determining who is considered a follower and who is not has given rise to many different opinions.

3.1. Defining Papakāinga Participants

To provide some clarity this policy document refers to Parihaka Participants as being made up of three different forms of connection. In reality some people may meet the criteria for all three connections and therefore should not be considered as a division of various groups but the inclusion of groups and individuals who approach Parihaka from various points of view.

The three relationship connections are:

- 3.1.1. The concept of Papakāinga Residents includes people who:
 - a. live on the Parihaka Papakāinga reservation permanently or on occasion;
or
 - b. live on reserves associated with Parihaka permanently or on occasion;

- 3.1.2. The concept of Papakāinga Beneficiaries includes people who:
 - a. have a direct whakapapa relationship with Parihaka; or
 - b. are registered shareholders in the Parihaka Papakāinga reserve.

- 3.1.3. The concept of Papakāinga Supporters includes people who:
 - a. regularly work to support the activities on the Papakāinga;
 - b. give regular active support to events or kaupapa that advance Parihaka;
 - c. carry out activities off-site over a long period of time that are associated with Parihaka; or
 - d. are given a role to represent Parihaka.

3.2. Trust's Expectations of Papakāinga Participants

3.2.1. The Trust expects Papakāinga **Residents**:

- to demonstrate behaviour that is consistent with the Principles and Values described above in section 2.2 and 2.3;
- to become engaged within at least one development project associated with Parihaka;
- to respect the rights of fellow residents, beneficiaries, visitors and of the wider Parihaka community;
- to be familiar with the Parihaka Code of Conduct and be prepared to participate in activities that advance its Principles and Values.

3.2.2. The Trust expects Papakāinga **Beneficiaries**:

- when on the Papakāinga reserve, to behave and participate in the Papakāinga in a way that is consistent with the Principles and Values described above in section 2.2 and 2.3;
- when representing or engaging in activities associated with Parihaka, to behave and participate in a way that is consistent with the Principles and Values described above in section 2.2 and 2.3;
- to respect the rights of residents, fellow beneficiaries, Papakāinga visitors and the wider Parihaka community;
- to be prepared to participate in activities that advance the Principles and Values described in this document.

3.2.3. The Trust expects Papakāinga **Supporters**:

- when on the Papakāinga reserve, to behave and participate in the Papakāinga in a way that is consistent with the Principles and Values described above in section 2.2 and 2.3;
- when representing or in activities associated with Parihaka, to behave and participate in the Papakāinga in a way that is consistent with the Principles and Values described above in section 2.2 and 2.3;
- to respect the rights of residents, beneficiaries, fellow manuhiri and the wider Parihaka community;
- to be prepared to participate in activities that advance the Principles and Values described in this document; and,
- to acknowledge and provide support to residents and beneficiaries in the activities they have collectively agreed to undertake.

3.3. Response to Inappropriate Behaviour of Papakāinga Participants

Should a Parihaka Participant demonstrate behaviour or act in a way that is inconsistent with the Principles and Values, as described in this document, a reporting of the incident will be made in a Conduct Incident Register.

3.3.1. The Conduct Incident Register

Notified incidents of Te Hāpai Mana Tangata will be placed on a Conduct Incident Form (pages 10&11). People will access the Conduct Incident Form on paper at our marae. Electronic forms can be downloaded from the website, filled out online or emailed to the Papakāinga Trust secretary.

3.3.2. The Conduct Incident Flow-chart

A Conduct Incident Flow-Chart has been developed and is presented on the next page. The Flow-chart helps identify the seriousness of the incident and the appropriate action to be taken in response.

3.3.3. The Conduct Incident Review Panel

A Conduct Incident Review Panel will be formed as incidents are registered. It will be made up of Parihaka Papakāinga Trust members with the power to involve independent advisors (advisors would not have decision-making authority).

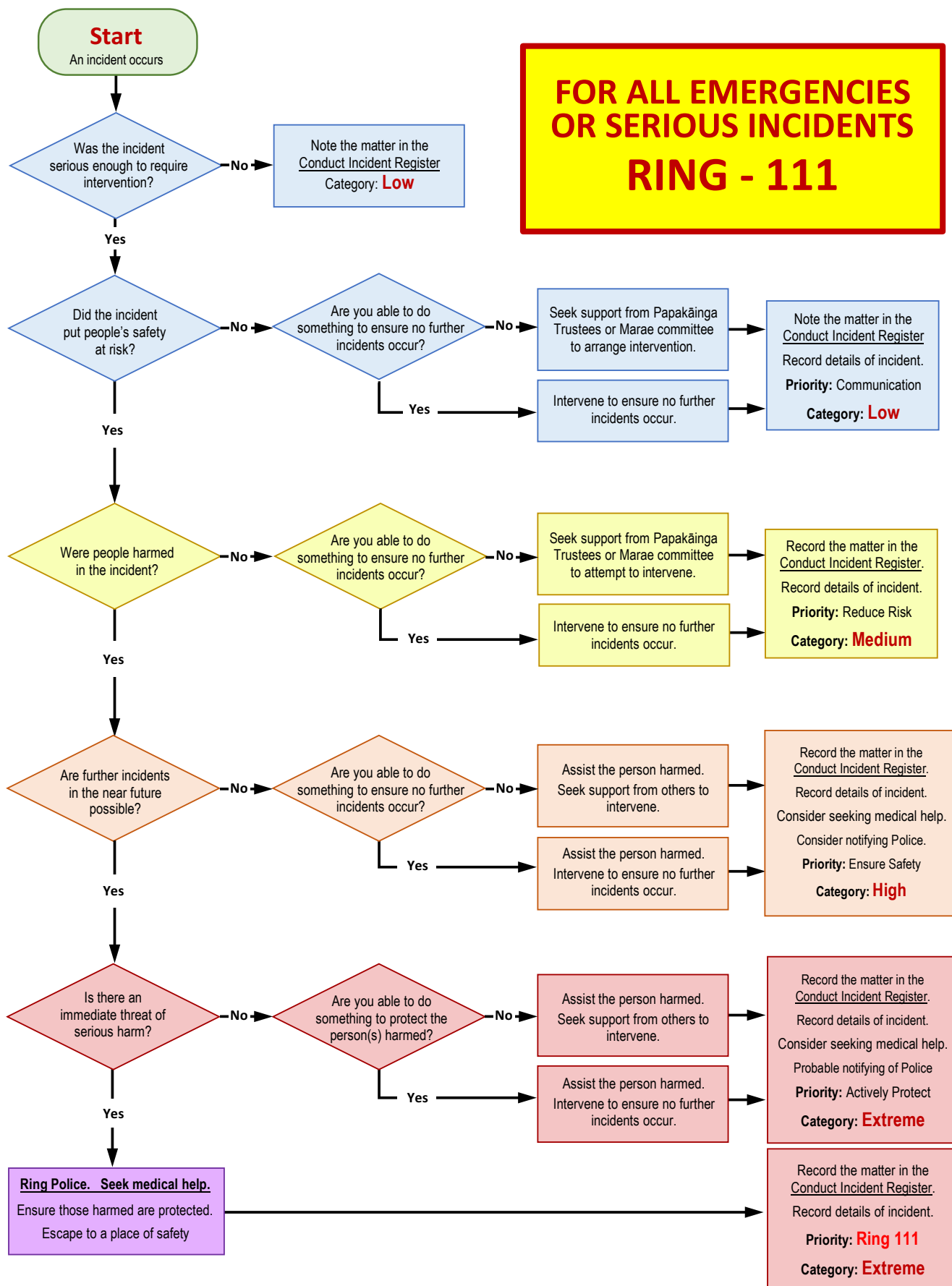
3.3.4. Decision-making for Incidents

Once an incident has been registered with a Conduct Incident Form it will be placed on a schedule to be discussed by the Conduct Incident Review Panel of the Papakāinga. Each month incidents will be reviewed by the Review Panel or as circumstances require. The Panel will make an initial recommendation to the Papakāinga Trust based solely on the information presented in the Conduct Incident Form. The initial recommendation will suggest how the incident should be dealt with, who should be involved and consideration of impacts on the victim, perpetrator and whānau of Parihaka.

If required, the panel will meet with the parties involved. It is expected that the person reporting the incident will speak to the matter and listen to the feedback. Similarly, the person who the incident relates to will be asked to attend to give their version of the incident. If a person making a report feels unsafe and does not want to deliver it in person, they may discuss the matter with a Kaitiaki of one of the marae, who may present it on their behalf. In 'Extreme' or 'High' risk incidents (refer to the Flow-chart below) people may ask to remain anonymous.

The primary goal of the Panel hearing the incidents is to attempt to resolve the issue, intervene to reduce potential risks, give people an opportunity to discuss the incidents and to restore an environment of safety and care for the community. In some situations, further action may be required.

CONDUCT INCIDENT FLOW-CHART



PARIHAKA PAPA KĀINGA TRUST CONDUCT INCIDENT FORM

NAME: (perpetrator)		PLACE:		DATE:		TIME:	
OTHERS INVOLVED:							
TYPE OF CONDUCT							
PHYSICAL <input type="checkbox"/>		EMOTIONAL <input type="checkbox"/>		SEXUAL <input type="checkbox"/>		VERBAL <input type="checkbox"/>	
		NEGLECT <input type="checkbox"/>		ACCIDENT <input type="checkbox"/>		OTHER <input type="checkbox"/>	
PHYSICAL		EMOTIONAL			SEXUAL		
Unintentional physical contact		Ridiculing		Sexist language			
Physical contact		Disrespectful behaviour		Unwanted contact			
Physical violence		Sustained belittling		Forceful advances			
Physical violence with weapon		Severe Intimidation		Sexual Violation			
Other (please describe)		Other (please describe)		Other (please describe)			
VERBAL		NEGLECT			ACCIDENT		
Foul language		Humiliation		Minor accident – no injury			
Degrading comments		Harsh punishment		Minor accident - injury			
Sustained verbal abuse		Failure to provide care		Serious injury			
Strong threats of harm		Putting at risk of harm		Health and Safety issue			
Other (please describe)		Other (please describe)		Other (please describe)			
WAS THERE AN INJURY ?				PROPERTY DAMAGE		AUTHORITIES INVOLVED	
Describe injury				Building Damage		Rang 111	
				Vehicle Damage		Police	
				Equipment Damage		Ambulance	
				Property Damage		Fire Brigade	
				Security Issue		Medical Care	
				Fire		Corrections	
				Flood		Māori Wardens	
Other (please describe)				Other (please describe)			
What happened?							
Continue overleaf							

WITNESSED BY:

WITNESS SIGNATURE:

DATE:

FORM COMPLETED BY:

SIGNATURE:

DATE:

WHAT HAPPENED? Continued.....

APPROPRIATE AUTHORITY TO COMPLETE

Date Incident Form Received:	Date Of Next PPT Hui:
Confidentiality Required: Y / N	Incident Form Entered In Register: Y / N

RECOMMENDATION TO PPT

RECOMMENDATION FROM PARIHAKA PAPA KAINGA TRUST

Further Follow-up Required Y / N	Tōpū Tikanga Involvement Y / N
Marae Committee Involvement: Y / N	Which Marae:
Whānau Involvement: Y / N	Which Whānau:
Authority Involvement: Y / N	Which Authority:
Other Involvement:	

COMPLETED BY:

SIGNATURE:

3.4. Forms of Violence

Violence occurs when someone acts to cause harm to another person.
 Violence is used to gain power and control over them.
 Violent behaviour is manipulative, abusive and damages the health and well-being of others.

**Violence has no place in Parihaka.
 It directly opposes the Tikanga established by Tohu and Te Whiti.**

Physical Violence	<i>when someone uses any part of their body or an object to control a person's actions.</i>
Emotional Violence	<i>when someone says or does something to belittle a person, or to make them feel stupid or worthless.</i>
Sexual Violence	<i>when someone is forced to unwillingly take part in sexual activity, including unwanted sexual comments, sexual contact, forced sexual intercourse, attempted or otherwise.</i>
Verbal Violence	<i>when someone uses language, whether spoken or written, to cause harm to a person.</i>
Neglect Violence	<i>when someone has the responsibility to provide care or assistance for an individual but does not.</i>
Psychological Violence	<i>when someone uses threats, guilt or instils fear in an individual.</i>

3.5. Actions Taken in Response to Verified Incidents

The following actions may be considered.

- a. A meeting with the person or people involved and interested parties is held, to provide an opportunity to settle the issue positively, to resolve any conflict, or to facilitate disciplinary action, if required.
- b. A proposal of action to rectify an issue (such as property damage, acts of abuse, behaviour inconsistent with this Code or a conflict between individuals or groups) may be agreed to by parties involved and overseen by the Papakāinga Trust (refer to 3.5).
- c. Positions or responsibilities held by any of the parties to the incident, within activities of the Papakāinga Trust, formal or informal, may be removed, suspended or reduced.
- d. Marae may become involved where discussion with them will allow them to determine appropriate action. Marae action may include a change or removal of roles, a period of suspension, and, in particularly damaging circumstances, that person or people may be barred from Marae-led gatherings, such as 18ths, 19ths, Pahua, formal hui, etc. At Papakāinga gatherings under the management of other groups or whānau, such as with tangihanga, reunions, whānau meetings or events, the organisers of those groups will be able to determine whether a decision to bar an individual should be recognised.
- e. In extreme cases, individuals may be asked to leave the Papakāinga permanently.

These actions will be undertaken with care to recognise the Principles and Values of Parihaka, as outlined in this document. There is a need to hear the different sides of any incident(s) and to seek an empowering and positive resolution of issues. The primary consideration in deliberating these matters is the safety of all Parihaka Participants, and in particular the reduction of harm or potential for harm to all.

3.6. Possible Restorative Approaches to Inappropriate Behaviour

In seeking empowering solutions to incidents and inappropriate behaviour, restorative approaches will take into consideration the needs and rights of impacted parties. Examples of possible actions include:

- a. A formal, detailed and genuine apology be provided to all impacted parties and marae leaders.
- b. Restoration of property or damage inflicted by the perpetrator to a level that is considered sufficient by the parties involved.
- c. Professional help for reducing with inappropriate behaviour, for dealing with historical trauma, for health issues or other forms of social interventions.
- d. Cultural intervention by recognised cultural leaders agreed to by the parties involved that may include activities such as karakia, whakawātea, cultural awareness training programmes, decolonisation training or kaumātua mentoring.
- e. Removal of privileges, roles or residential rights with a clear process agreed to that describes how a person or group may be able to restore the privileges removed.
- f. Altering the living conditions and circumstances of social interaction that may have led to the harmful incident or inappropriate behaviour.

4. THE TRUST'S EXPECTATIONS OF TRUSTEES

4.1. Expectations of Conduct for Trustees

Te Hāpai Mana Tangata establishes four expectations of conduct which all Trustees are expected to observe:

- a. Trustees have a lawful and moral obligation to the Parihaka Papakāinga beneficiaries to fulfil their responsibilities with professionalism and integrity, and comply with the policies of the Trust.
- b. Trustees should perform their roles or official duties honestly, fairly and efficiently, while respecting the rights of fellow Trustees, staff, Papakāinga beneficiaries, whānau members, and manuhiri.
- c. Trustees should not bring Parihaka into disrepute through their actions, whether inside or outside of the Trust's activity, including actions that:
 - i. damage the standing or reputation of Parihaka especially because of the position Trustees hold;
 - ii. interfere inappropriately with the proper performance of their role or duties;
 - iii. incur a term of imprisonment or a conviction for dishonesty.
 - iv. constitute a form of abuse or acting to assert power and control over another individual, whānau or group; and,
 - v. work against the interests of the Parihaka Papakāinga, intentionally or unintentionally.
- d. Trustees should actively oppose and not engage in all forms of harassment and ill treatment, especially perpetrated against those who are more vulnerable or where there is a breach of trust or moral responsibility for care;
- e. Trustees should actively oppose and not engage in all forms of abuse (physical, emotional, psychological, sexual, spiritual, financial and verbal);
- f. If a Trustee has any prior criminal convictions¹, they are required to inform the Trust about them, in writing, to the Chair and Secretary, before taking up the position of Trustee. If a Trustee does not disclose this information or is not truthful about it, disciplinary action may be taken against them which could lead to removal from the Trust.

¹ **Criminal convictions:** convictions that need to be disclosed are for any crime, within the last 15 years, particularly where it resulted in a prison custodial sentence. All convictions for dishonesty or fraud, whenever they occurred, must be declared.

4.2. Unacceptable Behaviour by Trustees

Failure to observe these standards of conduct by a Trustee may result in removal from their Trustee position. Examples of behaviour that would be considered unacceptable by the Trust include:

- a) ignoring lawful and reasonable instructions from the Trust;
- b) being under the influence of alcohol, illicit drugs or solvents impeding performance while representing or conducting work on behalf of the Trust;
- c) giving false information (e.g. stating you have a driver's licence when you don't or making a false claim for expenses);
- d) failing to declare information that is requested of them as a Trustee (e.g.: a criminal conviction, conflict of interest or having a revoked driver's licence if given the role to drive a vehicle on Trust business);
- e) presenting misleading information to the Parihaka and wider community about the Trust, intentionally or unintentionally, that is against the interests of the Trust and without adequate excuse or justification;
- f) conduct that is inconsistent with core Parihaka principles and values inclusive of acts of abuse deemed illegal under law² (i.e.: physical, sexual, verbal, emotional and psychological abuse, particularly perpetrated against those considered more vulnerable or where there is a breach of trust or moral responsibility for care);
- g) act in a way that intentionally disrupts meetings, events or the workplace environment;
- h) mistreat or compromise the privacy of individuals by inappropriately dealing with personal information;
- i) discrimination against fellow Trustees, staff or beneficiaries on the basis of their gender, age, disability, marital status, ethnicity, religious or ethical beliefs or sexual orientation;
- j) bring into Trust facilities any material that may be viewed as racist, sexist, pornographic, or otherwise offensive or discriminatory to fellow Trustees or staff;
- k) misuse, abuse or improper use of any position or statutory authority or power that may be delegated to them.

² Where the person is formally charged or not.

- l) any activity, either related to Trust business or private, that could reflect badly on the Trust in its relationships with Iwi or the wider community. This means that Trustees must inform the Trust Chair and Secretary in writing:
 - i. if they apply for, or have applied for bankruptcy or become bankrupt;
 - ii. of any criminal charges or convictions that may occur while they are in the position of Trustee and the charges or convictions are of such a nature that they breach Te Hāpai Mana Tangata, deeming them ineligible to continue in the role of Trustee.

5. THE TRUST'S EXPECTATIONS OF STAFF/CONTRACTORS

5.1. Expectations of Conduct for Staff/Contractors

Te Hāpai Mana Tangata establishes three expectations of conduct which all staff are expected to observe:

- 1) Staff/contractors have a lawful and moral obligation to the Parihaka Papakāinga Trustees as their employer or contractor, to fulfil their contractual responsibilities with professionalism and integrity.
- 2) Staff/contractors shall perform their roles or official duties honestly, fairly and efficiently, respecting the rights of Trustees, fellow staff, Papakāinga beneficiaries, whānau members, and manuhiri.
- 3) Staff/contractors shall not bring Parihaka into disrepute through their actions or activities, whether in acting within their contracted role, or not. Such actions or activities include:
 - damaging the standing or reputation of Parihaka especially because of the position the staff/contractor holds;
 - working against the interests of the Parihaka Papakāinga, intentionally or unintentionally.
 - actively hindering the effective completion or performance of the staff/contractor role, or duties;
 - incurring a term of imprisonment or an upheld charge for dishonesty.
 - acting in an abusive or discriminatory way, to assert power and control over another individual, whānau or group; and,

Basic requirements of professionalism, integrity, respect and courtesy are expected, to ensure a safe place for all residents, visitors and beneficiaries of Parihaka.

5.2. Obligations of the Trust to Staff

As a good employer, the Trust is committed to meeting expectations in supporting staff within their role. That support includes the following:

- 1) a commitment to the spirit and principles of the legacy of Tohu and Te Whiti;
- 2) opportunities for equal employment, including recognition of:
 - i. the aims and aspirations of all whānau groups;
 - ii. the employment needs of whānau connected with Parihaka;
- 3) impartial and open selection and appointment procedures;

- 4) fair rates of remuneration for skill, levels of responsibility and performance;
- 5) an up-to-date job description that provides clear statements of duties and the Trust's expectations;
- 6) adequate training and equipment to perform duties;
- 7) regular and appropriate feedback and communication on work performance;
- 8) effective communication of information;
- 9) equitable, fair and safe working conditions;
- 10) opportunity for the enhancement of abilities;
- 11) freedom from harassment or discrimination in the workplace;
- 12) fair and consistent disciplinary and dispute procedures with the opportunity for redress against unfair or unreasonable treatment by the Trust.

5.3. Performance of Duties

Employees are expected to carry out their duties in an efficient and competent manner.

This means that they are expected to:

- 1) comply with the law as it pertains to their employment and fulfilment of their job description, role(s) and agreed workplan;
- 2) comply with all lawful and reasonable instructions and work as directed by the Trust or its delegated representative;
- 3) perform their duties according to the policies and procedures of the Trust;
- 4) perform their work to a standard agreed to by the Trust or its delegated representative;
- 5) comply with any other codes of ethics or practice that may apply to their profession e.g. NZ Teachers Council Code of Ethics, Nursing, Accounting or Executive Officers;
- 6) show proper, appropriate, ethical and reasonable care when using board property, resources, equipment or funds;
- 7) inform their employer (within at least 30 minutes of their expected daily start time) if they are to be absent from work, for any reason including for sickness, emergency or family reasons.

5.4. Seeking Permission

Staff/contractors are also expected to obtain permission from the Trust or its delegated representative to:

- 1) be absent from the workplace during work hours;
- 2) enter into any contract or agreement on behalf of the Trust. The Trust will not accept responsibility for any unauthorised contracts or agreements made on its behalf.

5.5. Unacceptable Behaviour by Staff/Contractors

Failure to observe these standards of conduct by a staff member may result in disciplinary action, which may include termination of employment.

Examples of behaviour that would be considered unacceptable by the Trust include:

- 1) ignoring lawful and reasonable instructions from the Trust or its delegated representative;
- 2) being under the influence of alcohol, drugs or solvents impeding the successful performance of their professional role, both during and also outside of work hours;
- 3) giving false information (e.g. stating you have a driver's licence when you don't; making a false claim for expenses);
- 4) failing to declare or provide information that is requested when applying for employment with the Trust (e.g.: having a revoked driver's licence or a criminal conviction);
- 5) presenting misleading information to the Parihaka and wider community about the Trust, intentionally or unintentionally, that is against the interests of the Trust and without adequate excuse or justification;
- 6) conduct that is inconsistent with the core Parihaka principles of peace and goodwill inclusive of acts of abuse deemed illegal under law³ such as physical, sexual, verbal, emotional and psychological abuse, particularly perpetrated against those considered more vulnerable or where there is a breach of trust or moral responsibility for care;

³ Refer to footnote 2

6. CONFLICTS OF INTEREST

6.1. Conflicts of Interest and Integrity

You are expected to be honest, fair and impartial when you perform your duties. This means that:

- i. Staff/contractors should not show bias to an individual beneficiary or community member. Everyone should be treated fairly.
- ii. Staff/contractors are not to approve anything financial that will result in their financial gain (e.g.: unapproved increase in salary, travel expenses, equipment for personal use, determining their own work hours, time off or overtime).
- iii. Staff/contractors are not to lend money, or borrow money, or otherwise enter into financial relationships within or outside of the Trust, and in their role with the Trust. The amount of money lent or borrowed could imply indebtedness that could lead to a conflict of interest in formal work relationships.
- iv. Staff/contractors must inform the Trust if they are involved in, or have a personal or financial interest or commitment to, any activity that may conflict, or be seen by others to conflict with or hinder the performance of their duties and the goals of the Trust.

This includes situations such as:

- should a member of their family or a close personal friend enter into a professional relationship with the Trust. Under no circumstances will the staff/contractors become professionally involved, or in any way try to influence that relationship, or obstruct the performance of Trust business.
- v. A financial interest or commitment includes:
 - company directorships;
 - shareholdings;
 - employment in a service or with a contractor engaged by the Trust;
 - non-monetary benefits that may be considered as a benefit or are in lieu of financial payment.

Staff/contractors must inform the Trust if they are a member of (or plan to become a member of) or have a family involvement in a group or community organisation that is funded by or linked to the Trust.

Some employees, such as teachers, nurses, accountants, etc. are required to abide by a professional code of ethics. These employees must inform the Trust if there are any conflicts between their professional codes of ethics and the duties they are directed to perform.

6.2. Gifts and Rewards

Staff/contractors may not seek any form of reward (including gifts, favours, prizes or fees) for performing their duties as an employee or as a Trustee unless approved by a resolution of the Trust. Gifts or rewards can be seen as bribes or inducements that may put staff/contractors under obligation to someone other than the Trust. While it is acceptable to receive a gift of a low value, if staff/contractors are offered any form of reward or gift valued at \$50.00 or more, staff should inform their Manager and Trustees should inform their Chair who will decide the appropriate response.

6.3. Unacceptable Behaviour

Failure to observe these standards of conduct regarding conflicts of interest by a staff member or by a Trustee may result in disciplinary action. This could include termination of employment or removal from the Trust.

Examples of behaviour that would be considered unacceptable by the Trust include:

- Staff/contractors approving their own expenditure, that of a family member or a business they have an interest in;
- failing to declare activities that any activities that may be seen to be in conflict with Trustees' work;
- soliciting, and/or accepting gifts or rewards, or using Trust services or resources for personal advantage or gain; or,
- failing to disclose any personal relationship with a fellow staff member or a Trustee or a member of their family.

7. BREACHES OF CONDUCT BY TRUSTEES/STAFF/CONTRACTORS

Te Hāpai Mana Tangata describes the standards of behaviour expected of staff and Trustees. Behaviour or actions that are considered unacceptable by the Trust may result in disciplinary action against the employee, contractor or Trustee concerned, which could include termination of employment or removal from the Trust.

7.1. Disciplinary Action

Disciplinary action is about problem solving. The Trust is keen to identify problems associated with staff/contractor performance or behaviour, and to make sure that the process for fixing those problems is prompt, consistent and fair. In general, disciplinary procedures include informal or formal disciplinary action along the following lines (but not necessarily in this order):

7.1.1. Informal Disciplinary Action:

- discussion of the problem;
- assistance to help overcome the problem;
- referral to a mediator or advocate, if appropriate;
- temporary transfer to other duties or roles.
- temporary suspension from duties or roles.

7.1.2. Formal Disciplinary Action for a Staff Member:

- oral warning;
- written warning;
- removal of discretionary employment conditions (ie: delegations, flexible working hours, etc.);
- transfer to another position at existing salary;
- transfer to another position with reduced pay (but not below the minimum rate for that position);
- suspension (with or without pay);
- dismissal with notice;
- dismissal without notice.

7.1.3. Formal Disciplinary Action for a Trustee:

- oral warning;
- written warning;
- step down from Trust (i.e.: suspension of role in Trust, etc.);
- removal from Trust;
- dismissal with notice;

Other options may be considered, depending on the circumstances of the case.

7.2. Disciplinary Action Procedure

Whether disciplinary action is informal or formal, the Trust will make sure that the disciplinary procedures are fair. This means that:

- (a) Staff/contractors must be told of their right to request legal assistance, advocacy and/or representation (i.e.: union or advisory body).
- (b) Staff/contractors must be told of the specific behaviour or performance that is causing concern, and given a reasonable opportunity to provide an explanation.
- (c) Staff/contractors must be told, where appropriate, of the action that is required to amend or improve their behaviour or performance, and be given a reasonable opportunity to do so.
- (d) The Trust must undertake an appropriate investigation before any substantive disciplinary action is taken.
- (e) If the offence is sufficiently serious, an employee, contractor or Trustee can be placed on suspension and/or dismissed pending investigation.
- (f) An oral warning would usually precede a written warning, depending on the seriousness of the misconduct.
- (g) It is a requirement that the process and result of any disciplinary action are recorded in writing, read and signed by you (the employee, contractor or Trustee), and then, in the case of an employee or contractor, placed on your personal file.

In general terms, no disciplinary papers will go on the staff/contractor's file, unless the staff/contractor has seen them or has been given a genuine opportunity to see them. If they are not satisfied with the disciplinary action taken, they have the right to pursue a personal grievance. This procedure is outlined in the employment or contract agreement. It is also an expectation of a formal process that applies and is made known to all Trustees.

8. ACKNOWLEDGEMENT OF RECEIPT OF TE HĀPAI MANA TANGATA

I (name)

acknowledge that I have received a copy of the Trust's document 'Te Hāpai Mana Tangata' issued to me on the
date

My role associated with the Trust is as:

Employee:

Contractor:

Trustee:

I have also been advised/received a written description outlining my obligations under Te Hāpai Mana Tangata.

I understand that a breach of Te Hāpai Mana Tangata may lead to disciplinary action, including termination of employment, termination of contract or removal as a Trustee.

Signed

Date

(remove this page from the 'Hāpai Mana Tangata' document and place original on employee's personal file)