

Hon Kelvin Davis, Minister for Māori Crown Relations: Te Arawhiti

Building Closer Partnerships with Māori: Proactive release of Cabinet paper and MCR-19-MIN-0004

30 July 2019

These documents have been proactively released:

1. 5 March 2019, Office of the Minister for Māori Crown Relations: Te Arawhiti, *Building Closer Partnerships with Māori* Cabinet paper
2. 5 March 2019, Cabinet Office, *MCR-19-MIN-0004* Cabinet Committee Minute

These documents are released in their entirety.

In confidence

Minister for Māori Crown Relations: Te Arawhiti
Chair, Cabinet Māori Crown Relations: Te Arawhiti Committee

Building closer partnerships with Māori

1. This paper updates Cabinet on:
 - 1.1. work underway to build public service capability to support the Māori Crown relationship;
 - 1.2. principles to support agencies in forming true partnerships with Māori; and
 - 1.3. indicators to measure the health of Māori Crown partnerships.

Executive Summary

2. The public sector has limited capability to support and strengthen the Māori Crown relationship. It was one of the key messages I heard through my public engagement process. The feedback was clear: we currently do not have a public sector with the necessary knowledge and skills to work meaningfully with Māori, to respond to issues that have an impact on Māori, to consider Māori and Treaty perspectives in its work, and to consistently meet legislative and Treaty settlement commitments.
3. In March 2018, the Cabinet Priorities Committee agreed that “build closer partnerships with Māori” should be one of 12 priority outcomes for the government [CPC-18-Min-0001 refers]. Māori and the Crown working together in true partnerships is a critical feature of a healthy Māori Crown relationship and promises improved outcomes and realisation of opportunities for Māori and all of New Zealand. However, working in partnership cannot become a reality until the Crown’s capability to work with Māori, and understand and accept Māori perspectives, increases.
4. A recent scan of public service capability needs conducted by the Office for Māori Crown Relations - Te Arawhiti (Te Arawhiti) and submissions on the proposed State Sector Act 1998 reforms confirmed that lack of capability is a critical issue. The public service capability scan also confirmed agencies are willing to improve capability but are hampered by a lack of knowledge of what to do and how to do it, and a lack of comfort and confidence.
5. The scale of change required is varied but significant and will not happen without an intentional and sustained focus and dedicated resources.
6. Over the past year, work has been initiated to drive the necessary change, including:

- 6.1. the establishment of the Māori Crown Relations: Te Arawhiti portfolio;
 - 6.2. the establishment of Te Arawhiti (to support government to fulfil the above responsibilities/requirements of the Māori Crown Relations: Te Arawhiti portfolio);
 - 6.3. the launch of the Māori Crown Engagement Framework and Guidelines [CAB-18-MIN-0456 refers];
 - 6.4. system-wide changes through reforms being developed for the State Sector and Public Finance Acts; and
 - 6.5. the reinvigoration of Te Puni Kōkiri's statutory monitoring function of the adequacy of services for Māori [MCR-18-Min-0017 refers].
7. The public service needs greater practical support and guidance to build its capability immediately. To meet this need, I have:
- 7.1. directed Te Arawhiti to:
 - 7.1.1. develop cross-government proposals, initiatives and guidance to support the public service to build capability. This will focus on raising the baseline capability of the public service, as well as supporting the growth of more specialist skills and knowledge;
 - 7.1.2. be available to advise public service agencies on approaches to build capability and develop guidance for agencies; and
 - 7.1.3. support agencies to form true partnerships with Māori through advice, hands on assistance and by actively facilitating new prototype partnerships between the Crown and Māori;
 - 7.2. agreed a set of indicators that I will use in regular reports to the Cabinet Māori Crown Relations: Te Arawhiti Committee to measure the health of Māori Crown partnerships; and
 - 7.3. approved partnership principles upon which additional guidance will be built to support the public service form true partnerships with Māori.
8. I have submitted a Budget initiative for funding for Te Arawhiti for consideration in Budget 2019, which includes the costs of undertaking the work outlined in this paper.

Background

9. Lack of public sector capability was one of the key messages I heard through the public engagement process I undertook on this portfolio last year. The feedback was critical and the message was clear: the public sector does not have the knowledge and skills necessary to work with Māori, to respond to issues that have an impact on Māori, to consider Māori and Treaty perspectives in its work, or to meet existing legislative and Treaty settlement commitments.

"We're "hard to reach" but the hardest to reach is government."

- Lower Hutt hui

"Lifting public sector performance is essential, because partnership cannot be achieved without a collective understanding."

- Human Rights Commission

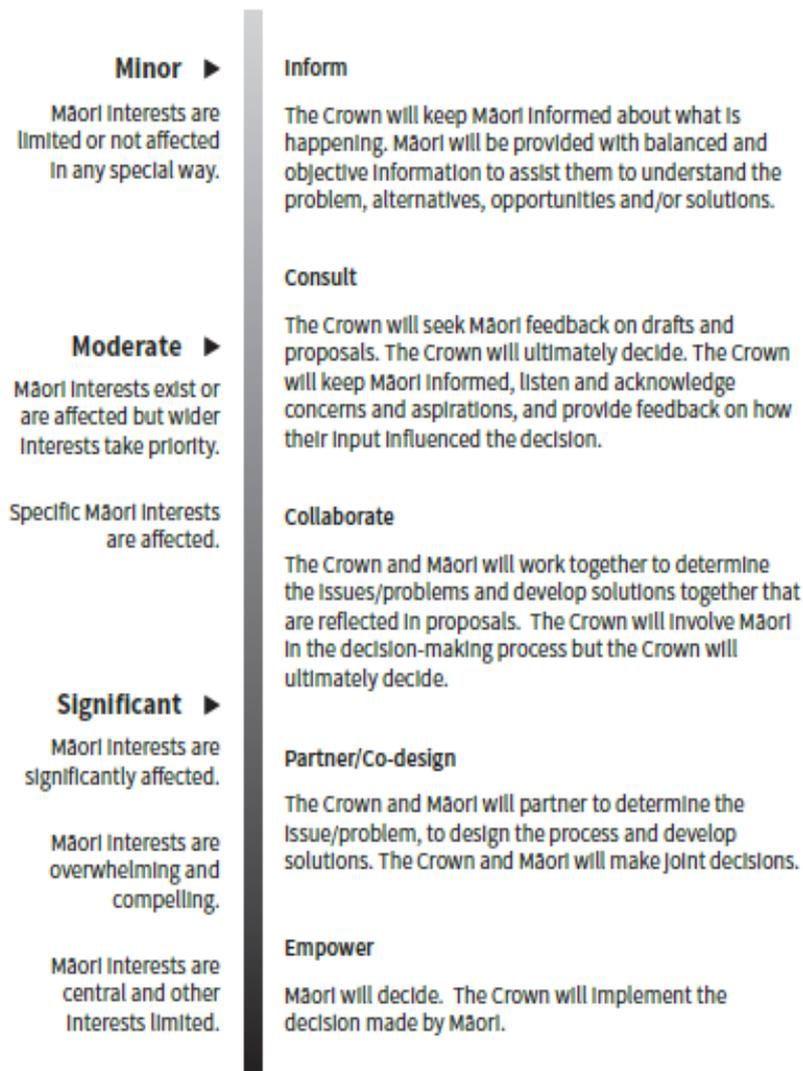
I have reservations around each Government Department simply defaulting to what they are required to do under their individual statute or whichever is easiest.

- Individual submission

10. I heard that this lack of capability impacts on trust in, and ability to work with, the Crown. Many Māori find the government hard to reach; I was told that, to better engage with Māori, the Crown needs to focus on strengthening relationships and developing partnerships. People told me about the urgent need to address the detrimental impacts that institutional racism has on individuals and communities.
11. I also heard about the importance of understanding the post-historical Treaty settlement relationship in terms of partnership and the negative impact of Crown agencies wrongly presenting contracts for service or consultation on already formed projects and strategies, as partnerships.
12. Evidence from a selection of true partnerships and Māori led approaches indicates that partnerships with Māori could have significant positive impacts on outcomes for Māori and the realisation of opportunities for Māori and all of New Zealand.
13. In March 2018, the Cabinet Priorities Committee agreed that to "build closer partnerships with Māori" should be one of 12 priority outcomes for the Government [CPC-18-Min-0001 refers].
14. In September 2018, the Prime Minister agreed to the final scope of the Māori Crown Relations: Te Arawhiti portfolio including:
- 14.1. the development of engagement, co-design and partnering principles that ensure agencies generate optimal solutions across social, environmental, cultural and economic development;
 - 14.2. ensuring public sector capability is strengthened;
 - 14.3. ensuring the engagement of public sector agencies with Māori is meaningful;
 - 14.4. the provision of an independent cross Government view on the health of the Māori Crown relationship; and

- 14.5. the provision of strategic advice to the Prime Minister and Cabinet on the risks and opportunities in Māori Crown partnerships.
15. Cabinet invited me to report back on indicators to measure the health of Māori Crown partnerships, and (with the Minister for State Services and the Minister for Māori Development) an approach to strengthening public service capability to support the Māori Crown relationship [CAB-18-MIN-0456 refers].
16. The Prime Minister has confirmed that she expects me to focus on building closer partnerships with Māori, including achieving demonstrable progress on improving public sector capability in responding to Māori issues. The Māori Crown Engagement Framework and Guidelines (the Framework and Guidelines) providing practical advice to support agencies in determining who they needed to engage with and how to engage effectively, have been available to the public service since September 2018.

Diagram 1: Engagement spectrum



17. The Framework and Guidelines have been very well received by the public service. Te Arawhiti officials have provided advice on over 70 engagement processes to date and are preparing to offer engagement workshops to all public service departments.

Increasing public service capability to support the Māori Crown relationship

18. Our public service needs to rapidly develop a broader set of skills, experience and expertise to support the Māori Crown relationship at all levels of the government's work. The public service needs to:
 - 18.1. understand the rights, interests and perspectives of Māori;
 - 18.2. meaningfully engage and build relationships and partnerships with Māori;
 - 18.3. embed Māori and Treaty perspectives into policy, programmes and services; and
 - 18.4. build a culture and environment that reflects te ao Māori, for the benefit of Māori and all New Zealanders.
19. Te Arawhiti has scanned public service Māori Crown relations capability needs, including discussions with representatives from 22 agencies (a summary of the scan is attached as **Appendix One**). This confirmed the significant gap in capability across the public service and the need for the development of specialist staff. The scan confirmed agencies are willing to build capability, but most do not know how to do so on the scale required.
20. The scale of change required is significant and will require both immediate and long term investment and commitment across the public service. A strategic approach, including a focus on both organisational and system-wide settings, is needed to develop and sustain capability over the longer term.

System settings and existing initiatives to support capability build

21. A range of work is already underway to ensure the public service builds its capability. The State Services Commission (SSC) is currently reviewing the State Sector Act 1988 (the Act), including considering how legislative settings can set the framework for improving the Māori Crown relationship. Through this work SSC, with support from other agencies, is working to develop expectations for public service leaders and the workforce more generally.
22. SSC is also preparing a new iteration of the Leadership Success Profile and, with input from other agencies, developing a Māori capability development strategy. Decisions on the changes to the Act are expected to be taken later in 2019, with the updated Leadership Success Profile and Māori capability development strategy being finalised in mid-2019.
23. Whilst SSC focuses on building the capability of senior leadership across the public service and re-shaping the state sector's legislative framework, my expectation is Te

Arawhiti will continue to work with agencies from the ground level up to share its expertise in working between Māori and the Crown on a day to day basis.

24. Te Puni Kōkiri is reinvigorating its statutory monitoring function of the adequacy of services for Māori [MCR-18-MIN-0017 refers] and coordinating the implementation of the Maihi Karauna (the Crown's Māori Language Strategy).
25. Most agencies have their own capability building initiatives, most of which are ad hoc or early in development, and are unlikely to deliver the change required or at the pace needed. Historically these programmes have not been prioritised or resourced appropriately for long enough to make a long-term difference.

Cross public service capability building approach

26. Te Arawhiti will lead the development of a programme to lift public service with a focus on the general staff level. This will likely create some disruption to the system as agencies start to recognise the scale of change required. As such, I have directed Te Arawhiti to:
 - 26.1. conduct workshops across the public service on the Engagement Framework and Principles;
 - 26.2. develop a template capability plan and guidance to inform/support agencies as they develop capability;
 - 26.3. develop a capability building training programme to be piloted in 2019/20 (subject to Budget 2019 decisions) to be made available more widely thereafter;
 - 26.4. identify a group of agencies to test and role model capability building approaches with; and
 - 26.5. work with the Policy Project at the Department of the Prime Minister and Cabinet to embed Māori Crown relations approaches into policy guidance documents that will apply across the public service.
27. Te Arawhiti will be available to advise agencies on approaches to build capability. It will also develop guidance on effective approaches to address institutional racism and methods to evaluate the impact of different capability building approaches.
28. It will be important that Te Arawhiti, Te Puni Kōkiri and the State Services Commission ensure their advice to other agencies is coordinated and consistent. Wherever possible they should agree and use each other's frameworks, criteria and principles.
29. The immediate focus is on developing the capability of the core public service. In time focus will extend to the broader public sector. Te Arawhiti has already received many calls from local government and non-government organisations seeking help to

build partnerships with Māori. Any tools, guidance and resources developed will be made available to the public sector, including local government.

Support for building closer partnerships with Māori

Scan of existing Māori Crown relationship mechanisms

30. The lack of Māori Crown relationship capability within the public service is a particular barrier to the public service achieving the Government's priority outcome of building closer partnerships with Māori.
31. Te Arawhiti recently completed a scan of existing Māori Crown relationship mechanisms and partnerships. This included:
 - 31.1. reviewing a sample of existing Māori Crown relationship mechanisms, Waitangi Tribunal findings, and previous public service guidance on Māori Crown relationship mechanisms;
 - 31.2. seeking advice from agencies with experience working in partnerships with Māori; and
 - 31.3. interviews with Māori and Crown agencies who are engaging in partnerships across economic, social, environmental and cultural domains, including Te Rūnanga-Ā-lwi o Ngāpuhi, Te Rūnanga o Ngāti Whare, Te Hiku Iwi Development Trust, Statistics NZ, the Social Investment Agency, the Department of Internal Affairs, the Ministry of Justice, the Ministry of Education, Oranga Tamariki, Te Uru Rākau, Scion Research and the Department of Corrections.
32. The scan found that many existing mechanisms do not demonstrate true partnerships between Māori and the Crown. Essentially contractual relationships do not necessarily equal partnerships; although they are an important marker in many of the journeys towards true partnership we looked at.
33. Existing mechanisms (including, but not limited to, memoranda of understanding, social accords, site level agreements and contracts for service) tend to:
 - 33.1. rely on the Crown as funder and driver and Māori as the "consultee" or provider of a prescribed product;
 - 33.2. be developed in isolation from the rest of the agency's work programme or as a one off initiative; or
 - 33.3. be developed by the Crown to make universal services more accessible to Māori.
34. These mechanisms rarely see the parties sharing problem identification, options to address the problems, decision making and responsibility for outcomes, planning together from the outset, or pooling resources.

35. The existing mechanisms usually fail to deliver significantly improved outcomes or opportunities for Māori and the Crown. Most interviewees expressed scepticism that existing mechanisms cause any meaningful change.

Case studies of existing mechanisms

36. Through its scan of existing relationship mechanisms, Te Arawhiti officials have developed high level case studies of relationship mechanisms that demonstrate different types of partnership, including:
 - 36.1. Ngāti Whare Iwi Holdings Limited and Scion Crown Research Institute and the Provincial Growth Fund in the Bay of Plenty; and
 - 36.2. the Crown, the Judiciary and Ngāpuhi at the Matariki Court in Kaikohe (adult offenders) and the Rangatahi Court in Whangarei (youth justice).
37. Examples of benefits identified through the case studies include:
 - 37.1. Ngāti Whare Iwi Holdings Ltd: 18 full time equivalent (FTE) positions for previously unemployed people from Minginui, returning wealth to a highly vulnerable community. Ngāti Whare report the FTE positions will increase to 34 this coming winter;
 - 37.2. Rangatahi and Matariki Courts:
 - 37.2.1. 15% reduction in reoffending for offenders completing the process (as compared to a similar cohort going through the mainstream Court process); and
 - 37.2.2. approximately 90% of offenders who completed the Matariki Court process avoided a prison sentence in favour of an alternative community-based sentence
38. These case studies will be available on the Te Arawhiti website. We will continue to find other examples and case studies and make this information publicly available.
39. There is also evidence of positive outcomes from Māori led approaches, such as the success of young people who attend Māori medium education and the investments in wellbeing made by several iwi following receipt of Treaty settlement redress. Greater public service capacity to work in partnership with Māori is likely to result in a greater number of Māori-led approaches.

Principles to improve Māori Crown partnerships in the future

40. To improve the effectiveness of partnerships between Māori and the Crown, the Prime Minister has given me responsibility for developing a set of consistent principles that can provide the preconditions for a successful partnership.
41. To support agencies to develop true partnerships with Māori, and in fulfilment of the mandate I have from Cabinet, I have approved a set of partnership principles (the principles). The principles, set out in **Appendix Two**, have been co-developed with Māori groups and public service agencies.
42. The partnership principles are intended to be used by agencies:
- 42.1. when Māori interests are significantly affected by the opportunity or issue, and a partnership or co-design approach is appropriate (as per the Engagement Framework and Principles);
 - 42.2. to support future focussed partnerships that represent the desires of Māori communities as well as the Crown, and deliver improved outcomes for Māori and the Crown across social, environmental, cultural and economic development;
 - 42.3. to rebalance some of the power and resource imbalances between Māori and the Crown by recognising and sharing the contribution each party brings to specific partnerships;
 - 42.4. within existing statutory settings (such as the Public Finance Act 1989 and the Crown Entities Act 2004);
 - 42.5. to support partnerships being tailored to reflect their particular context (as outlined in Appendix Two);
 - 42.6. to support Māori taking the lead on an issue where that is appropriate and mutually agreed; and
 - 42.7. to assist in improving the implementation of existing relationship mechanisms.
43. The principles have been tested with a range of government departments and Māori. Some agencies have already adopted the principles to support their capability and partnering strategies. The partnership principles will be distributed to agencies and available on Te Arawhiti's website (for use by anyone – including Māori groups).

"It's taken five years to work out strengths and weaknesses without attributing blame to each other."

- Te Hiku

"We have taken every step together."

- Minginui

"The partnership was put at risk when bureaucracy grinds everything to a halt and when we tried to get things done without going through officials' usual process."

- Minginui

44. The principles aim to help the Crown uphold its responsibilities under the Treaty of Waitangi, but they do not change or displace the Crown's responsibilities in relation to the Treaty of Waitangi or its principles.
45. Some people will have questions about if or how the principles will apply in circumstances where constitutional, statutory or other constraints mean that decision making cannot be equal or where it is difficult for agencies and individuals to take risks. While this may rarely occur, when it does it must be dealt with on a case by case basis. This matter needs to be considered further through the reviews of the State Sector Act 1988 and the Public Finance Act 1989 and through other public service capability work.

Next steps for the Māori Crown partnerships principles

46. The principles are intended to be a living document that will be added to as we learn from our improving partnerships with Māori. I expect that new themes will emerge to reflect the Treaty partners' changing relationships and expectations of one another, including where partnerships have third party involvement such as local government. Te Arawhiti will review and, if necessary, update the principles on an ongoing basis.
47. Significant work and long-term commitment from agencies will be required to meaningfully work in partnership. Planning and resourcing will need to be considered. The partnership principles should prompt discussions about, and then action on, the kind of investment in capability, people and budget required by agencies considering entering into partnerships with Māori.
48. True partnership-based approaches may, at least in the short term, be more resource and time intensive than existing relationship/consultation models. Where Māori interests are significantly impacted by the matter at hand, this commitment is justified, and I expect that when undertaken appropriately, it is likely to lead to improved results and relationships in the future. As more partnerships are developed and the public service capability to partner with Māori grows, it will be possible to better assess the cost and value of operating in a partnership to inform refinements to approaches.

Te Arawhiti role in supporting Māori Crown partnerships

49. Te Arawhiti will be available to help agencies implement the principles by:
 - 49.1. supporting agencies to recognise opportunities to develop true partnerships, look at the effectiveness of different approaches to partnership, and what approaches might be possible in different situations;
 - 49.2. providing case studies of successful partnerships as they are built;
 - 49.3. providing hands on support for agencies or acting as a pou takawaenga (broker) for limited periods when Crown and Māori groups are experiencing difficulty in developing effective partnerships;
 - 49.4. actively facilitating new prototype partnerships between the Crown and Māori to provide practical lessons and case studies for other Crown agencies. This includes supporting partnerships between:

- 49.4.1. the Treasury and Ngāti Toa Rangatira over housing regeneration in eastern Porirua;
- 49.4.2. Raukawa and justice sector agencies to co-design new methods of stopping the cycle of criminality and incarceration in their rohe; and
- 49.4.3. Iwi in Te Tai Tokerau and the Department of Corrections to develop a new way to reduce reoffending and improve outcomes at the Northland Region Correctional Facility.

50. Undertaking this role will enable Te Arawhiti to share more of its experience developing relationships with Māori through the Treaty settlement negotiation and implementation process.

Te Puni Kōkiri role in supporting Māori Crown partnerships

51. Some potential Māori partners may also currently lack capacity and capability to work in partnership and this is likely to have an impact on the groups and organisations that the Crown partners with. On the whole, Māori organisations are highly motivated, so a more open approach by government agencies is likely to help overcome this. Te Puni Kōkiri has work underway to ensure Māori have the capability and capacity to work with the Crown and to strengthen the Māori contribution to the economy, which will better position Māori to partner with the Crown. Where agencies are contemplating partnerships, it will be important for them to also inform Te Puni Kōkiri to enable them to properly assess what support the Māori group might need.

Proposed indicators to measure the health of Māori Crown partnerships

52. In September 2018, I undertook to report back to Cabinet on indicators to measure the health of Māori Crown partnerships. I intend to monitor the following three indicators:

52.1. *Appropriate application of the Māori Crown Engagement Framework and Principles* – an assessment of whether agencies are using partnership approaches where they should be, based on the significance of the issue for Māori and how Māori will be affected, as articulated in the Engagement Framework and Guidelines. Te Arawhiti will begin collecting data for this indicator from March 2019;

52.2. *Breadth and types of partnerships* – a map showing the regional coverage of active Māori Crown partnerships. The map will be developed to demonstrate:

52.2.1. the type of partnership (collaborate, co-design or empower)

52.2.2. the stage of the partnership (emerging, developing or underway);

52.2.3. the driver for the establishment of the partnership; and

52.2.4. which sectors are involved in active partnerships.

The map will be supported by more detailed information on one or two partnerships, including consideration of opportunities arising from the partnership.

52.3. *Implementation of partnership principles* – an assessment of how well the partnership principles are being implemented and their impact on outcomes for Māori and New Zealand. This will require a survey of Māori and Crown partners and, periodically, Māori organisations more generally. The first survey is expected to occur by December 2019.

53. The indicators will draw on existing and new data sources.
54. If the Cabinet Māori Crown Relations: Te Arawhiti Committee chooses, these indicators can feed into the smaller set of indicators that the Committee is expected to report to the Cabinet Priorities Committee as part of reporting on progress towards the government's priorities.
55. Where the indicators or any supporting information relate to outcomes for Māori, Te Arawhiti will work with Te Puni Kōkiri to ensure work is not duplicated.

Consultation

57. The following departments were consulted on this paper: State Services Commission, Te Puni Kōkiri, the Treasury, the Crown Law Office, Ministry for the Environment, Oranga Tamariki, Department of Corrections, Ministry for Business, Innovation and Employment, Ministry for Culture and Heritage, Department of Internal Affairs, Ministry of Health, Ministry for Women, Ministry for Primary Industries, Department of Conservation, New Zealand Police, Ministry for Social Development, Ministry of Education, Land Information New Zealand, Ministry of Housing and Urban Development, Statistics New Zealand, the Social Investment Agency and the Ministry of Justice.
58. The Department of the Prime Minister and Cabinet was informed.

Financial Implications

59. I am seeking additional funding through Budget 2019 to build the public service's capability to support the Māori Crown relationship, and to collect data to track the progress of this over time.
60. Other agencies may also incur costs to build capability and work in partnership with Māori. These are expected to be able to be met within existing baselines initially, although some agencies may require further investment in time.

Legislative Implications

61. This paper has no legislative implications.

Impact Analysis

62. No regulatory impact analysis is required.

Human Rights

63. No human rights implications arise as a result of this paper.

Gender Implications

64. No gender implications arise as a result of this paper.

Disability Perspective

65. No disability implications arise as a result of this paper.

Publicity

66. The effective implementation of the partnership principles may generate positive publicity over time.

Proactive Release

67. This paper has been prepared with the intention of being proactively released.

Recommendations

68. I recommend that the Cabinet Māori Crown Relations: Te Arawhiti Committee recommend to Cabinet that it:

1. **note** there is a range of work underway to build public service capability to support the Māori Crown relationship;
2. **note** that the State Services Commission is responsible for senior leadership across the public service and the State Sector Act 1988 reforms, including considering how the legislative settings can support the framework for improving the Māori Crown relationship;
3. **note** the Prime Minister has given me responsibility to ensure public sector capability is strengthened;
4. **note** I intend to strengthen public sector capability through a Māori Crown relations capability development programme focusing on raising the baseline capability of the public service, as well as supporting the growth of more specialist skills and knowledge;
5. **note** I intend to report regularly on three indicators to measure the health of Māori Crown partnerships;
6. **note** that Cabinet has agreed that building closer partnerships with Māori is one of the government's 12 priorities [CPC-18-Min-0001 refers];
7. **note** Te Arawhiti recently completed a scan of existing Māori Crown relationship mechanisms and partnerships;
8. **note** this work resulted in case studies of a number of partnerships between the Crown and Iwi that will be made available on the Te Arawhiti website;

9. **agree** the partnership principles set out in **Appendix Two** are available for immediate use by agencies;
10. **note** that the Office for Māori Crown Relations: - Te Arawhiti will be available to advise agencies to work in partnership with Māori; and
11. **note** that while working in partnerships may be more resource intensive for agencies in the short term, it will reduce resources spent on poorly designed and implemented programmes and policies over time.

Authorised for lodgement

Hon Kelvin Davis

Minister for Māori Crown Relations: Te Arawhiti

Appendix One: summary of initial scan of public service Māori Crown relations capability needs

The initial scan of public service Māori Crown relations capability needs confirmed many of the areas of capability development identified through my public engagement process. The key themes arising were:

Leadership

1. building capability is critically reliant on public service leaders modelling and valuing desired behaviours and skills, and setting clear expectations of organisations;
2. middle management and their existing work pressures were highlighted as potential blockages in terms of supporting engagement with Māori, the incorporation of Māori and Treaty perspectives into policies, programmes and services, and actively supporting staff to develop capability;
3. cultural leaders fulfil a key role within the public service (whether within or outside of formal management structures) but are in short supply. These individuals generally have strong te reo Māori, tikanga Māori, te ao Māori and relationship skills, and extensive Māori networks, as well as other skills and experience;

Expertise and experience

4. the depth and distribution of capability is of concern across most agencies. Many agencies are currently carried by a small number of individuals;
5. Māori staff are often called on to support cultural work outside of their job description. These people need to be recognised and valued for the specialist skills and knowledge they bring and share, and more people with these skill sets need to be developed;
6. the cultural competency of staff (understanding and comfort in te reo Māori, tikanga Māori, te ao Māori and New Zealand history) is low across the public sector and considered discretionary or “nice to have”. Current training and other opportunities are limited and require a high level of individual staff initiative;
7. there is a widespread lack of understanding of the practical impact that Māori Crown relationships and the implementation of Treaty principles could have on different areas of work;
8. there is a lack of lived experience for many staff, with little opportunity to develop a sense of empathy for Māori realities, meaning that decisions are often made without awareness of their impact;

Barriers

9. common and well-known barriers were identified including not having sufficient time, resourcing and expertise to develop capability;
10. agencies were concerned that they did not have a good understanding of the current obligations, commitments and opportunities that they have through Treaty settlements, relationships and legislative requirements;

11. the Wellington focus (just over 40 per cent of the public service located in Wellington) and general culture of the public service sometimes makes it difficult to attract kaupapa Māori competent staff;
12. officials reported often having a sense of uncertainty and sometimes fear of causing cultural offence, when working with Māori or attempting to bring Māori perspectives into their work. They often feel a real sense of the importance, but do not have the skills or experience to even begin to attempt to engage within te ao Māori settings; and
13. very few agencies could identify true partnerships with Māori in their work. Despite a strong desire to move towards partnerships, there appeared to be a real struggle to understand what it means in practice.
14. A number of people also made suggestions for how to build capacity. These included, but are not limited to:

Expectations

15. setting consistent base level expectations for capability across the public service (te reo Māori, tikanga Māori, te ao Māori, NZ history and unconscious bias training) and streamlining training, development and evaluation to support this;
16. investing in the development of all tiers of management to increase their capability and understanding;

Organisational development

17. upskilling organisational development staff and ensuring recruitment and induction processes set expectations and are used to introduce staff to te ao Māori, mātauranga Māori and New Zealand history relevant to their subject area, as well as their agencies' role in shaping Māori experiences;
18. working across agencies to develop and look after existing and potential talent, particularly Māori staff;
19. ensuring a bicultural physical and visual work environment to prompt organisational shifts in behaviour and encourage higher engagement in te ao Māori;

Development and growth of expertise

20. sharing and developing opportunities for staff to gain lived and immersive experiences in te ao Māori within the context of their work. These were highlighted by many people as having the most significant positive impact on capability;
21. developing and recruiting a pool of talented people who can move around the public service as required to support the growth of capability.
22. Almost universally, public servants said the public service would benefit from a strategic and whole of government approach to building Māori Crown relations capability.

Building closer partnerships with Māori

Collaborate • Co-Design • Empower

Ka āwhinatia koe e te anga haere kōturi nei ina pākia nuitia te pānga ki te Māori e te mahi e whakaarohia ana, ina hāngai ake te haere kōturi, te hoahoa tahi rānei me te ū ki te ture o tēnei wā (hei tā te Anga Whakapāpā me ngā Mātāpono – www.tearawhiti.govt.nz).

Ka tautokona hoki ngā hoa haere kōturi titiro whakamua e whakaata ana i ngā hiahia o ngā hapori Māori me te Karauna e pai ake ai ngā putanga ka whakatinanahia mā ngāi Māori me te Karauna.

Mā te whakatinana tika i te anga haere kōturi e taurite anō ai te whai mana me te whai rauemi a ngāi Māori me te Karauna, mā te whakamana, mā te tautoko a tēnā i tā tenā i tāpae ai ki ngā haerenga kōturi motuhake.

This framework will assist you when Māori interests are significantly affected by the proposed actions, and a partnership or co-design approach is appropriate within existing statutory settings (as per the Engagement Framework and Guidelines – www.tearawhiti.govt.nz).

It will support future focussed partnerships that respond to the needs/interests of Māori communities as well as the Crown, and deliver improved outcomes for Māori and the Crown.

Appropriate application of the partnership framework will rebalance some of the power and resource imbalances between Māori and the Crown by recognising and sharing the contribution each party brings to specific partnerships.

Principles

-  1. Build the relationship before focusing on the work
-  2. Plan together from the start
-  3. Value each parties' contribution and knowledge
-  4. Ensure outcomes are meaningful to all parties
-  5. Be open, be flexible and accept risk
-  6. Share decision-making

Collaborate



The Crown and Māori work together to determine the issues/problems and develop solutions together that are reflected in proposals. Each party retains its own decision making ability.

The parties:

- Make time for whakawhanaungatanga
- Take time to learn the history of the relationship before engaging
- Learn about and respect each other's tikanga
- Relationship is mana-enhancing
- Work to build trust
- Each do what they agreed to do in a timely manner
- Communicate openly and clearly
- Agree what success looks like
- Are transparent about their responsibilities and what level the responsibility is exercised at

Examples

- Some historical Treaty of Waitangi settlement negotiations
- Rangatahi Courts

Co-design



The Crown and Māori partner to determine the issue/problem, design the process and develop solutions. The Crown and Māori make joint decisions.

The parties:

- Agree on joint reporting and evaluation
- Have clearly defined outcomes and a common agenda
- Look to mātauranga Māori for solutions
- Share resources such as staff, premises, equipment
- Accept risk as part of achieving a better way of working together
- Acknowledge that mistakes may be made when trying new solutions
- Actively look for opportunities to share or delegate decision making

Examples

- Some historical Treaty of Waitangi settlement negotiations
- Te Urewera Board
- Waikato River Authority
- Matariki Court

Empower



Māori decide and the Crown assists in implementing the decision made by Māori.

The parties:

- Agree each may lead at different times (tuakana/teina)
- Actively look for opportunities and agree if and where the Crown's decision making is delegated
- Acknowledge the Crown's role is as enabler and implementer not decision-maker
- Equal contributions by all partners

Examples

- Whānau Ora model
- Ngāti Whare/Scion/PGF partnership
- Te Mātāwai



Cabinet Māori Crown Relations - Te Arawhiti Committee

Minute of Decision

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Building Closer Partnerships with Māori

Portfolio **Māori Crown Relations: Te Arawhiti**

On 5 March 2019, the Cabinet Māori Crown Relations - Te Arawhiti Committee:

- 1 **noted** that:
 - 1.1 in March 2018, Cabinet agreed to establish 12 priority outcomes to help coordinate a cohesive government programme, one of which was to build closer partnerships with Māori [CAB-18-MIN-0111];
 - 1.2 in September 2018, Cabinet agreed that the engagement framework and guidelines for engaging with Māori be available for immediate use by agencies [CAB-18-MIN-0456];
- 2 **noted** that there is a range of work underway to build public service capability to support the Māori Crown relationship;
- 3 **noted** that the State Services Commission is responsible for senior leadership across the public service and the State Sector Act 1988 reforms, including considering how the legislative settings can support the framework for improving the Māori Crown relationship;
- 4 **noted** that the Prime Minister has given the Minister for Māori Crown Relations: Te Arawhiti (the Minister) responsibility to ensure public sector capability is strengthened;
- 5 **noted** that the Minister intends to strengthen public sector capability through a Māori Crown relations capability development programme focusing on raising the baseline capability of the public service, as well as supporting the growth of more specialist skills and knowledge;
- 6 **noted** that the Minister intends to report regularly on three indicators, outlined in the paper under MCR-19-SUB-0004, to measure the health of Māori Crown partnerships;
- 7 **noted** that:
 - 7.1 Office for Māori Crown Relations - Te Arawhiti (Te Arawhiti) recently completed a scan of existing Māori Crown relationship mechanisms and partnerships;
 - 7.2 this work resulted in case studies of a number of partnerships between the Crown and Iwi that will be made available on the Te Arawhiti website;

- 8 **agreed** that the partnership principles set out in appendix two of the paper under MCR-19-SUB-0004 be made available for immediate use by agencies, subject to any minor or technical changes required;
- 9 **noted** that Te Arawhiti will be available to advise agencies to work in partnership with Māori;
- 10 **noted** that while working in partnerships may be more resource intensive for agencies in the short term, it will reduce resources spent on poorly designed and implemented programmes and policies over time.

Rachel Clarke
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Kelvin Davis (Chair)
Hon Grant Robertson
Hon Phil Twyford
Hon Andrew Little
Hon Nanaia Mahuta
Hon Stuart Nash
Hon Damien O'Connor
Hon Shane Jones
Hon Peeni Henare
Hon Aupito William Sio
Hon Willie Jackson
Hon Eugenie Sage

Officials present from:

Office of the Prime Minister
Officials Committee for MCR

Hard-copy distribution:

Minister for Māori Crown Relations: Te Arawhiti