

CONSTITUTION REMIT THREE: RECEIVED FROM Te Poari

Clause 10: Board

Currently reads:

- 10.3 The term of all Directors shall be three years, with a right of re-election for a further consecutive three year term, and may be eligible to stand for office again after a break of three years.

Amend to read:

- 10.3** The term of the Kaiwhakahaere and Tumu whakarae be accountable to and determined by Te Rūnanga members.
- 10.3.1** The term of the Kaiwhakahaere and Tumu whakarae Directors shall be three years, with a right of re-election for a further consecutive three years, and may be eligible to stand for office again every three years thereafter.

Rationale:

Background

The remit has been endorsed by Hui ā-Tau (Te Rūnanga AGM) 2016 and 2017.

NZNO prides itself on being an organisation that embraces and advances the spirit of biculturalism, as articulated in our mission, systems and processes. That is how, as an organisation we acknowledged the relationship between tangata whenua Māori (Te Rūnanga) and all NZNO members. This recognises that while we all have the same goal, aspirations and objectives, our processes and journey to get there may be different, respecting the uniqueness that both groups bring.

The responsibilities of Te Poari and Te Rūnanga are defined in the NZNO Constitution, in accordance Constitution states Te Poari o Aotearoa shall:

- 24.2.1 Assist NZNO to ensure its processes reflect Tikanga Māori;
24.2.2 Assist NZNO to uphold Tikanga Māori within NZNO;
24.2.3 Undertake the election process for Kaiwhakahaere, and Tumu Whakarae in accordance to Tikanga process, and other Te Rūnanga representative appointments as appropriate;
24.2.5 Assist NZNO where appropriate to ensure it is responsive to the needs of Te Rūnanga and member issues;

The annual Hui ā-Tau sets the strategic priorities, direction and policy and considers any remits or amendments to “Ngā Ture” the rules under which Te Rūnanga operates, and Te Rūnanga and NZNO is accountable to upholding Tikanga which is vital to this process.

Tikanga can be explained as “*the Māori way of doing things*”, and is derived from the Māori word *tika* meaning 'right' or 'correct' or 'fair' and *ngā* which symbolises plural, which indicates that *tikanga* means "traditional rules for conducting life, custom, method, rule, law".

As an integral part of the NZNO leadership, the Kaiwhakahaere and Tumu whakarae are positions that share the governance responsibility for all NZNO members, as well as these roles having Rangatira status for representing the voice of Māori members. Elections are held at Hui ā-Tau because the leader must demonstrate that they can meet the expectations of the Māori members, and must practice to the highest standard to reflect these values of Mātauranga Māori, Tikanga Māori, Tino Rangatiratanga (self-determination) and be endorsed by their iwi Kaumātua.

Te Rūnanga is extremely clear that both the leadership must have governance skills and knowledge to an exceptional level but also have exceptional skills and knowledge in Mātauranga and Tikanga Māori because of the responsibilities incumbent in their roles and responsibilities to Māori members.

This cultural expectation set by Te Rūnanga is to ensure that they have the best person representing their views and to ensure that Tikanga will not be breached or NZNO office responsibilities.

Problem

Clause 10.3 creates an unfair and unjust position.

Currently the Constitution reads “The term of all Directors shall be three years, with a right of re-election for a further consecutive three year term, and may be eligible to stand for office again after a break of three years”.

When the original Constitution was passed in 2011, it indicated that the positions had “unlimited tenure”. This clause has since changed to the current term. Since the change Te Rūnanga has discussed the unintended consequence of this decision and the impact it has had on our Tikanga processes and to our partnership responsibilities.

The current inequity that exist with clause 10.3 of the NZNO Constitution has been repeatedly discussed at Hui ā-Tau (2015, 2016), and the impact this has on the Kaiwhakahaere and Tumu whakarae roles.

The discussion has also raised that the scope of our “bicultural relationship” should allow us to determine not just our processes within election but include the tenure of office.

The Clause currently breaches NZNO mission statement, vision, commitment to Tikanga Māori, and NZNO strategic principles of equity.

Proportionately this disparity is inequitable. To meet the leadership and cultural expectation of Te Rūnanga the number of eligible members is even more significantly reduced.

Currently the pool for eligible NZNO members to stand for the President or Vice President is from 35,424 Registered Nurses, compared to 2,174 NZNO Māori Registered Nurses members who could contest the Kaiwhakahaere and Tumu whakarae positions, with the same tenure and stand down time.

Te Poari acknowledge that we need to be able to determine the level of skill and knowledge that is required to represent Te Rūnanga members and that this clause limits our ability to do so. It also compromises our role under 24.1 to 24.2.7 of the NZNO Constitution as it breaches Tikanga Māori.

Endorsement

This remit has been endorsed by our Te Rūnanga members from Hui ā-Tau in 2016 and 2017. We therefore ask Conference to be responsive to the Tikanga of Te Rūnanga members and endorse this remit.