

CORPORATE OFFICE

Level 1
32 Oxford Terrace
Christchurch Central
CHRISTCHURCH 8011

Telephone: 0064 3 364 4160
Fax: 0064 3 364 4165

carolyn.gullery@cdhb.health.nz

5 August 2020

9(2)(a)

RE Official information request CDHB 10354

I refer to your email dated 15 July 2020 requesting the following information under the Official Information Act from Canterbury DHB. Specifically:

- **A copy of all memorandum(s) of understanding and or agreements established between the Canterbury District Health Board and Ngai Tahu Iwi and the administrative event chronology timeline of such.**

Please refer to **Appendix 1** for the Memorandum of Understanding between Canterbury DHB and Ngai Tahu Iwi / Manawhenua ki Waitaha dated 7 March 2008 and **Appendix 2** for the latest Memorandum of Understanding between Canterbury DHB and Ngai Tahu Iwi / Manawhenua ki Waitaha dated 15 December 2015.

I trust this satisfies your interest in this matter.

Please note that this response, or an edited version of this response, may be published on the Canterbury DHB website after your receipt of this response.

Yours sincerely



Carolyn Gullery
Executive Director
Planning, Funding & Decision Support

Canterbury
District Health Board
Te Pōari Hauora o Waitaha



Memorandum of Understanding

between
Manawhenua Ki Waitaha
and
the Canterbury District Health Board

3. Purpose

Manawhenua Ki Waitaha will take a proactive approach to the consolidation of a Treaty-based relationship, to assist the CDHB in their responsibilities under the New Zealand Public Health and Disability Act 2000.

4. Acknowledgements of parties

The parties acknowledge:

- a. that Te Tiriti o Waitangi/The Treaty of Waitangi, is a founding document of Aotearoa/New Zealand, and lays an important foundation for the relationships between the Crown and Māori;
- b. that the role of CDHB as defined by statute, benefits from the input of its relevant stakeholders, in this case, Manawhenua ki Waitaha (Ngāi Tahu) in the Canterbury region;
- c. that the relationship created by this memorandum is not an exclusive one and that both parties reserve the right to create or maintain relationships with any other group that may assist them in the furtherance of their respective objectives;
- d. that this memorandum does not alter or diminish CDHBs statutory powers and obligations under the New Zealand Public Health and Disability Act 2000 and the Te Rūnanga o Ngāi Tahu Act 1996, or any other statute in any way;
- e. that the relationship developed in this memorandum may also lead to the development of contracts for the provision of relevant services but that this memorandum is not developed in this expectation. Any such contracts that may be developed will form separate legal documents but may be attached as schedules to this memorandum; and
- f. that this memorandum is not legally enforceable, but that this does not diminish the intention of the parties to comply with the terms and conditions of this memorandum.

7. CDHB further agrees that it will:

- a. take account of any information and advice provided by Manawhenua Ki Waitaha;
- b. take a proactive approach to the consolidation of a Treaty-based relationship, to provide Manawhenua Ki Waitaha with opportunities to contribute to CDHBs decision-making processes, to assist CDHB in their responsibilities under the New Zealand Public Health and Disability Act 2000;
- c. keep Manawhenua Ki Waitaha informed about relevant policies and programmes, including the outcome of any decision-making process;
- d. provide the necessary resources, e.g. meeting facilities, food, administration support, meeting fees, etc. to facilitate the functioning of this agreement and any activities or projects that arise from this agreement; and
- e. will provide Manawhenua Ki Waitaha with the Māori Manager /Māori Directorate quarterly reports on:
 - activities in relation to agreements within this CMRI, and
 - activities in relation to the CDHB Māori Health plan.

8. Dispute Resolution

Both parties agree to resolve disputes informally

9. Disclosure of Information

Any information exchanged under this memorandum remains the property of the originating party and will be kept confidential to the parties. Such information will only be disclosed with the prior approval of the relevant party. The parties acknowledge the CDHB is limited in its ability to keep information confidential by the Official Information Act 1982

10. Execution of memorandum

This memorandum comes into effect on the date of signing.

This memorandum was:

Signed this 7th day of March 2008

by:

Chair, Canterbury District Health Board

Signed this 7th day of March 2008

by:

Chair, Manawhenua Ki Waitaha
Te Hapū o Ngāti Wheke Incorporated

Ōnuku Rūnanga Incorporated

Te Ngāi Tūāhuriri Rūnanga Society Incorporated

Te Rūnanga o Kaikoura Incorporated

Te Rūnanga o Koukourārata Incorporated

Te Taumutu Rūnanga Incorporated

Wairewa Rūnanga Incorporated

Before witnesses:

Name of Witness

Signature of Witness

Name of Witness

Signature of Witness

Before witnesses:

Name of Witness

Signature of Witness

Name of Witness

Signature of Witness

December 2015

COPY

Canterbury

District Health Board

Te Poari Hauora o Waitaha



Manawhenua ki Waitaha

Memorandum of Understanding

between
Manawhenua ki Waitaha Charitable Trust
and
the Canterbury District Health Board

MEMORANDUM OF UNDERSTANDING (MOU)

between

Manawhenua ki Waitaha Charitable Trust

and

the Canterbury District Health Board

Parties

1. Manawhenua ki Waitaha Charitable Trust

- 1.1 Manawhenua ki Waitaha is a charitable trust mandated by the seven Papatipu Rūnanga of Waitaha, within whose takiwā the Canterbury District Health Board ("CDHB") operates.

The Waitaha Rūnanga are;

Te Rūnanga o Kaikōura Incorporated
Te Ngāi Tūāhuriri Rūnanga Society Incorporated
Ōnuku Rūnanga Incorporated
Te Taumutu Rūnanga Incorporated
Te Hapū o Ngāti Wheke Incorporated
Te Rūnanga o Koukourārata Incorporated
Wairewa Rūnanga Incorporated

- 1.2 Manawhenua ki Waitaha is the Ngāi Tahu and Rūnanga representative body in Canterbury for health issues.
- 1.3 Manawhenua ki Waitaha and the CDHB Board work collaboratively across the health system in Canterbury to facilitate the participation of Ngāi Tahu through its 7 Waitaha Papatipu Rūnanga.

2. The Canterbury District Health Board (CDHB)

CDHB is established and constituted under the New Zealand Public Health and Disability Act 2000. The statutory role of CDHB is to improve the health

outcomes for the people of its region. CDHB funds and provides health services in Canterbury.

3. Purpose

Manawhenua ki Waitaha will take a proactive approach to the consolidation of a Treaty-based relationship, to assist the CDHB in its responsibilities under the New Zealand Public Health and Disability Act 2000 with emphasis on equitable health outcomes for all Māori living in the Canterbury region.

This MOU outlines agreed principles and guidelines for an enduring collaborative relationship between Manawhenua ki Waitaha and CDHB.

4. Acknowledgements of parties

4.1 The parties acknowledge:

- a. that Te Tiriti o Waitangi/The Treaty of Waitangi, is a founding document of Aotearoa/New Zealand, and lays an important foundation for the relationships between the Crown and Māori;
- b. that the role of CDHB as defined by statute, benefits from the input of its relevant stakeholders, in this case, Manawhenua ki Waitaha (Ngāi Tahu) in the Canterbury region;
- c. that the relationship created by this MOU is not an exclusive one and that both parties reserve the right to create or maintain relationships with any other group that may assist them in the furtherance of their respective objectives;
- d. that this MOU does not alter or diminish CDHBs statutory powers and obligations under the New Zealand Public Health and Disability Act 2000; nor does it alter or diminish the statutory powers and obligations of Te Rūnanga o Ngāi Tahu, under the Te Rūnanga o Ngāi Tahu Act 1996, or any other statute in any way;
- e. that the relationship developed in this MOU may also lead to the development of contracts for the provision of relevant services; but that this MOU is not developed in this expectation and such

contracts that may be developed will form separate legal documents; and

- f. that this MOU is not legally enforceable, but that this does not diminish the intention of the parties to comply with the terms and conditions of this MOU.

5. Agreement of parties

5.1 The parties agree on the following principles:

- a. to work together to improve Ngāi Tahu and all Māori health outcomes in the CDHB catchment;
- b. to share information as it relates to both parties;
- c. to mutually support the endeavours of the other; and
- d. to act at all times in good faith and with good intent.

5.2 The parties further agree on the following operational undertakings:

- a. to meet once a year to workshop the priorities around Māori health within the CDHB catchment and how these should be reported.
- b. that the Chairperson of Manawhenua ki Waitaha and the Chairperson, of CDHB will meet four times per annum; or as required by either party.
- c. that the Chairperson of Manawhenua ki Waitaha and the CEO of CDHB and Kāhui Kaumātua shall meet as required.
- d. that a representative of the CDHB shall attend Manawhenua ki Waitaha meetings on a 6 monthly basis to report on progress.
- e. that a representative of Manawhenua ki Waitaha shall attend CDHB meetings on a 6 monthly basis to report on progress.

6. Manawhenua ki Waitaha further agrees that it will:

6.1 mānaaki the Kāhui Kaumātua on matters of tikanga and kawa;

6.2 provide the human resource to:

- a. sit on the selection panel for the CEO, Director of Māori Health and other important positions within the CDHB that impact directly on

Ngāi Tahu and other Māori living in the Canterbury region.

- b. advise on the development of the Māori Health directorate;
- 6.3 assist CDHB to identify problems with its policies and programmes related to all Māori in the Canterbury region and seek to provide CDHB with advice on developing solutions to these problems.

7. CDHB further agrees that it will:

- 7.1 take account of any information and advice provided by Manawhenua ki Waitaha;
- 7.2 take a proactive approach to the consolidation of a Treaty-based relationship, and provide Manawhenua ki Waitaha with opportunities to contribute to CDHBs decision-making processes and assist CDHB in satisfying its responsibilities under the New Zealand Public Health and Disability Act 2000;
- 7.3 keep Manawhenua ki Waitaha informed about relevant policies and programmes, including the outcome of any decision-making process;
- 7.4 provide the necessary resources, (e.g. meeting facilities, food, administration support, meeting fees, etc.) to facilitate the functioning of this MOU and any activities or projects that arise from it; and
- 7.5 provide Manawhenua ki Waitaha (via the Director of Māori Health and/or the Māori Health Directorate) quarterly reports on:
 - a. activities in relation to agreements within this MOU and
 - b. activities in relation to the CDHB Māori Health plan.

8. Dispute Resolution

Both parties agree to resolve disputes informally.

9. Disclosure of Information

- 9.1 Any information exchanged under this MOU remains the property of the originating party and will be kept confidential to the parties and only disclosed with the prior approval of the relevant party unless required by law.
- 9.2 The parties acknowledge the CDHB is limited in its ability to keep information confidential by the Official Information Act 1982.

10. Execution of memorandum

This MOU comes into effect on the date of signing.

11. Review of memorandum

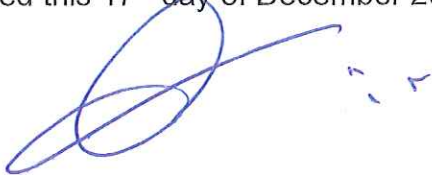
This MOU will be reviewed two yearly from the date of execution.

12. Termination of memorandum

This MOU may be terminated by one party giving 60 days notice to the other, or by mutual agreement at any time.

Signed this 17th day of December 2015

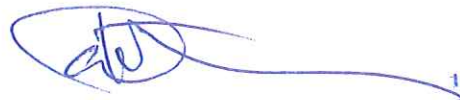
by:



Chair, Canterbury District Health Board

Signed this 17th day of December 2015

by:



Chair, Manawhenua ki Waitaha

Glossary of Māori Terms

Kāhui Kaumātua	CDHB Kaumātua and Taua group that provides advice and support to CEO.
Kawa	Ceremonial rituals and protocol.
Manaaki	Care for, help, support, show hospitality.
Papatipu Rūnanga	Traditional Ngāi Tahu council structure normally based on a hapū (sub-tribe) or a marae. All Ngāi Papatipu Rūnanga are defined and named in the Te Rūnanga o Ngāi Tahu Act.
Takiwā	Geographical area of traditional / customary authority
Tikanga	<ol style="list-style-type: none">1. The correct way of doing things characterised by issues of principle, integrity of intent and correct processes being followed.2. Values and respect.