





## “Whakahaumaruhia katoatia te waka e te tangata.”

*The safety and integrity of the whole waka  
is maintained by the absolute integrity of  
everyone within the waka.*

– Nā Dee Isaacs



## Whakatauākī

Our whakatauākī<sup>1</sup> defines the principles by which we want to work together.

It was gifted to Te Pou Whakamana Kaimatū o Aotearoa by Dee Isaacs. The whakatauākī was created as part of the development of the board’s charter and in light of the concept of the Pharmacy Council as a waka ama.

Our sincere thanks and acknowledgements for this taonga.

It highlights our desire of “**Uniting for a cause.**”

Proverbial sayings have been used by Māori and Taiwi alike, i ngā wā katoa, since time immemorial, to unite people for a cause. “Kia piritahi tātou” and “Kotahi tātou” – “We are all one” and axioms like “Kei roto tātou i te waka” - “We’re all in this waka together” and “We all need to pull together to make this work” inspire unity through their self-evident truth.

In this case the people are Te Pou Whakamana Kaimatū o Aotearoa and the cause is to ensure that everyone acts with such integrity that we achieve our mission.

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1. Whakataukī are proverbial sayings where the author who first expressed the proverb is unknown. Whakatauākī, are expressions where the author IS known.



# Foreword

## Tēnā koutou katoa

The Council members of the Pharmacy Council of New Zealand – Te Pou Whakamana Kaimatū o Aotearoa are appointed by the Minister of Health to govern the organisation. As such, we seek to ensure that we govern in a manner consistent with tikanga, as well as the established rules of good governance and the legislation.

In order to support this approach we have developed this charter for the whole of the Pharmacy Council. It outlines the principles we uphold as governors and the tenets we observe as an organisation. This charter forms the basis for maintaining a consistent approach to addressing the matters facing the organisation so we are able to routinely achieve our overall goals.

Key to this foundation is a clear understanding of why we observe such principles and rules and how we acquire the authority to conduct the activities we do and seek the mission we have defined.

As a Responsible Authority, independent from the Crown, we have chosen to base this charter on the founding documents of Aotearoa, namely “He Whakapūtanga o te Rangatiratanga o Nū Tireni” – “The Declaration of Independence of the United Tribes of New Zealand” and Te Tiriti o Waitangi. These founding documents act as a guiding framework to advancing partnership, achieving equitable outcomes, and enabling a collective well-being of Aotearoa.

The Declaration of Independence was signed before the Majestic British Resident of King George IV on Oketopa 28 1935, and then later acknowledged by the British government. It was a statement by Māori to both the outside world and themselves that Aotearoa was an independent state. As such all sovereign power and authority within the territory resided entirely and exclusively in the hereditary chiefs and iwi leaders.

Additionally, when we reference “Te Tiriti o Waitangi” we are specifically acknowledging the “Te Reo Māori translation” of the Treaty of Waitangi as the genuine agreement. This is because we choose to apply the Contra Proferentem doctrine of international law, that recognises when two versions of a contractual document exist, and there is ambiguity in a stated agreement, then the preferred meaning should be the one that works against the party who drafted the agreement, and in the case of the Treaty of Waitangi both versions were drafted by the English. We therefore accept the “Te Reo Māori text of Te Tiriti o Waitangi “as taking precedence over the English version on any point where there is disagreement of interpretation. (Te Tiriti o Waitangi Policy Statement. See Attachment 1.)

These two keystone documents, when read in conjunction with the current legislation, establish the platform on which sits our decisions as the body responsible for the governance of the Pharmacy Council of New Zealand – Te Pou Whakamana Kaimatū o Aotearoa. They feed into our mission, our vision, our values and ultimately our perception of our organisation.

## Mauri ora.

The Council Members of Te Pou Whakamana Kaimatū o Aotearoa  
– The Pharmacy Council of New Zealand





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# A. The Foundations of Council Background



## 1. Our Name

A gift from our first Māori pharmacist, Matua Hiwinui Heke

The Pharmacy Council adopted a Māori name in August 2011:  
The Pharmacy Council of New Zealand - Te Pou Whakamana Kaimatū o Aotearoa

This name literally means “the backbone that supports the pharmacists of New Zealand”.

The Chief Executive and Registrar of the Pharmacy Council, Bronwyn Clark, announced on 12 August 2011 that the Council had sought guidance and was delighted to announce the adoption of a Māori name. This name was decided with assistance from Ngā Kaitiaki o Te Puna Rongoā o Aotearoa - The Māori Pharmacists’ Association, and in particular, kaumātua Hiwinui Heke MPS, JP.

Hiwinui was the first Māori pharmacist – registering in 1955 and recipient of the inaugural Award for Services to Māori in Pharmacy from the Pharmaceutical Society of New Zealand in 2010. The Te Arawa (Ngāi Te Rangi, Te Ure o Uenukukōpako) man was born in 1930 in Rotorua and practised in his hometown as a pharmacist serving his community.

## 2. Our Mission

To ensure that all pharmacists in Aotearoa are competent and fit to practise in the multitude of roles they perform, in order to keep everyone’s whānau safe and healthy.



### 3. Our Vision

Through skilled and safe practice, pharmacists contribute to better health outcomes for New Zealanders. We aspire to have pharmacists operate at the top of their scope of practice and to not only be competent and professional in their roles but to continually work towards being the best pharmacist they can be.

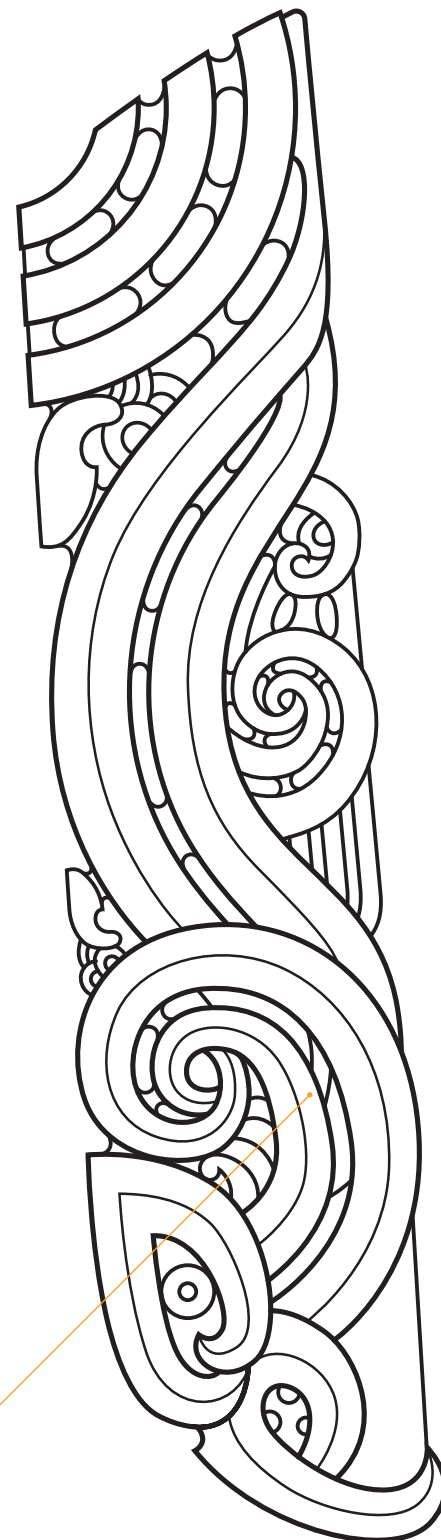
### 4. Our Values

All of Council's decision-making and similarly its approach to all its functions and activities are guided by our four core values:

- Whaioranga (pursuit of wellbeing)
- Tikanga (correct processes)
- Ōritetanga (equity in partnership)
- Rangatiratanga (leadership)

These four values underpin the functions of the Council and serve as a universal guide to help us focus on our priorities.

The taurapa or stern of a waka. Its practical purpose was to aid in providing balance and stability to the waka and incorporated elements like manaia and the takarangi spiral.



### 5. Our Concept – the Pharmacy Council as a Waka Ama

#### Tikanga – The Adherence to Correct Process

In the same way that our mission statement binds us to our cause, adherence to tikanga sets the tone for all that follows after. Following tikanga practices has its parallel in having clearly defined rules and practices by which to live our working lives. Our adherence to a set of clearly stated policies give us the guidance as a rōpū to meet our obligations. Those rules and policies cover the governance process and relationship requirements for an effective organisation that is functioning at its optimal level. Those rules serve to operationalise our values as a whole and without them there would be no WHAIORANGA, no pursuit of well-being, no ŌRITETANGA, no equity in partnership and no RANGATIRATANGA, no opportunity for leadership to manifest itself by us simply doing the right thing in the face of all challenges. All of our values flow from observing the overarching correct processes that tikanga affords our organisation.

He aha te waka?

The importance of waka to Māori and Polynesia has its roots in times past when Māori were traversing the seas from Hawaiki through to the many islands of the Pacific and settling in Polynesia until migrating to Aotearoa New Zealand. The different waka served specific purposes. The great waka of navigation lore were described as being as big as ships and carrying large numbers of passengers and cargo. Waka ama were smaller vessels used for fishing and exploration and varied in size depending on how it was used.

The Pharmacy Council has, since its inception in 2003, been a small, but nimble explorer of the regulatory horizons. Deliberately surfing the waves that affect the pharmacy profession with a view to pursuing oranga, a state of good health, for the public. In allegoric terms, the importance of the sea and of water is due to the customary way in which wai, water, is a connection for Māori to both their past as well as their future.

#### Whaioranga – The Pursuit of Well-Being

The revival of waka ama (outrigger canoe contests) in contemporary Māori society mirrors the aspirations the Pharmacy Council of New Zealand to battle the environmental seascape that affects us all in the pursuit of a shared purpose. Thus, the first kernel is formed.

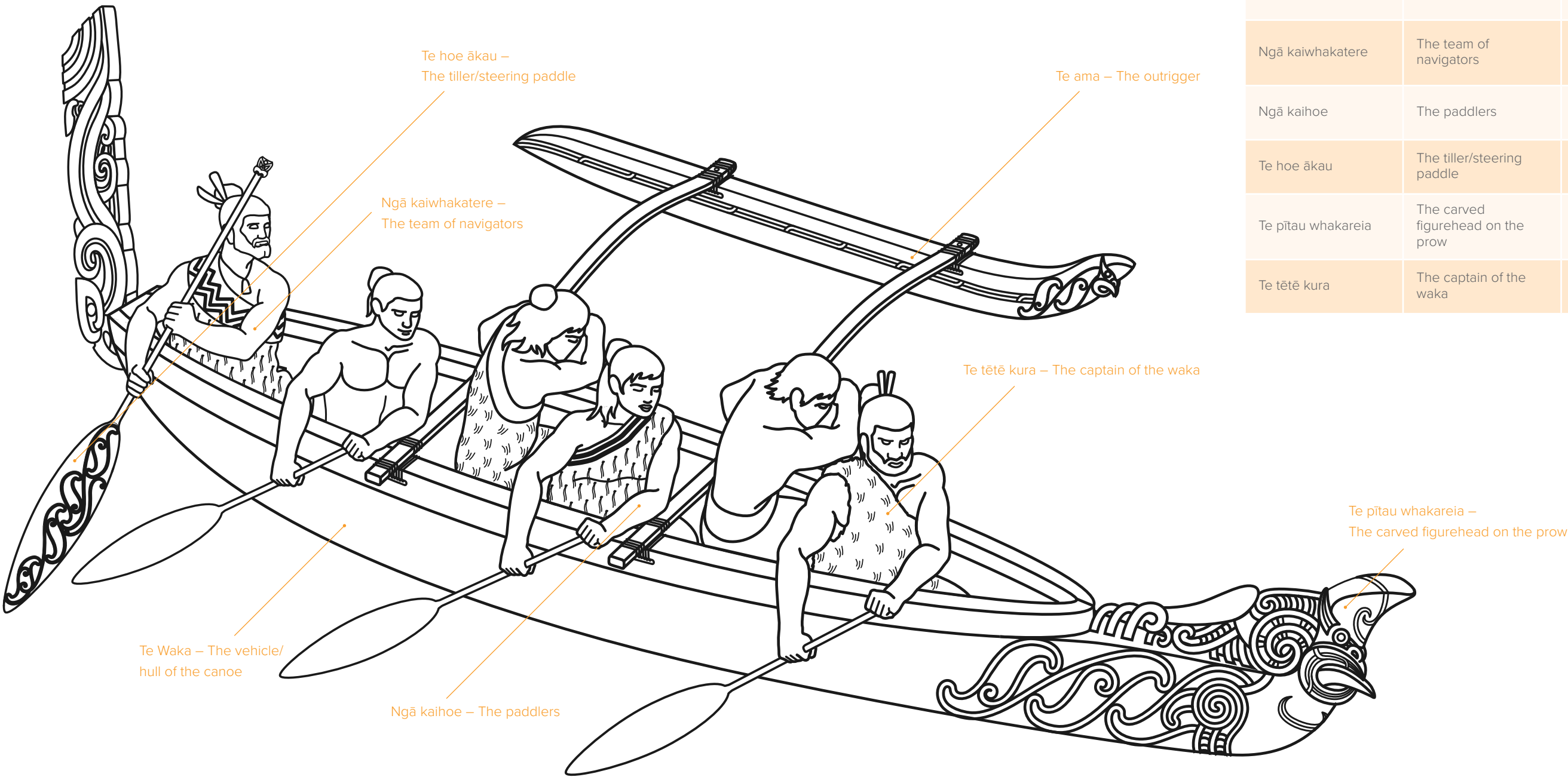
Nō reira, te waka ama!

The other kernel of inspiration comes from te ao Pākehā and the key tenet of all board governance that the role of the board is to steer the waka, to operate the tiller, the hoe ākau, not to row the waka.



# Te Waka Ama: An embodiment of the Pharmacy Council of New Zealand

The many parts of a waka ama must be united in their purpose in order to function as one. Ānei te waka ama.



Waka Component – Te Reo Māori	Waka Component – Te Reo Pākehā	Equivalent within Pharmacy Council
Te waka	The vehicle/hull of the canoe	Te Pou Whakamana Kaimatū o Aotearoa
Te ama	The outrigger	Te Tiriti Advisory Group
Ngā kaiwhakaterere	The team of navigators	The Board of the Pharmacy Council of New Zealand
Ngā kaihoe	The paddlers	The Operational Team
Te hoe ākau	The tiller/steering paddle	The Strategic Plan
Te pītau whakareia	The carved figurehead on the prow	The Chair of Council
Te tētē kura	The captain of the waka	The Chief Executive



“If you have come here to help me, you are wasting your time. But, if you have come here because your liberation is bound up with mine, then let us work together.”

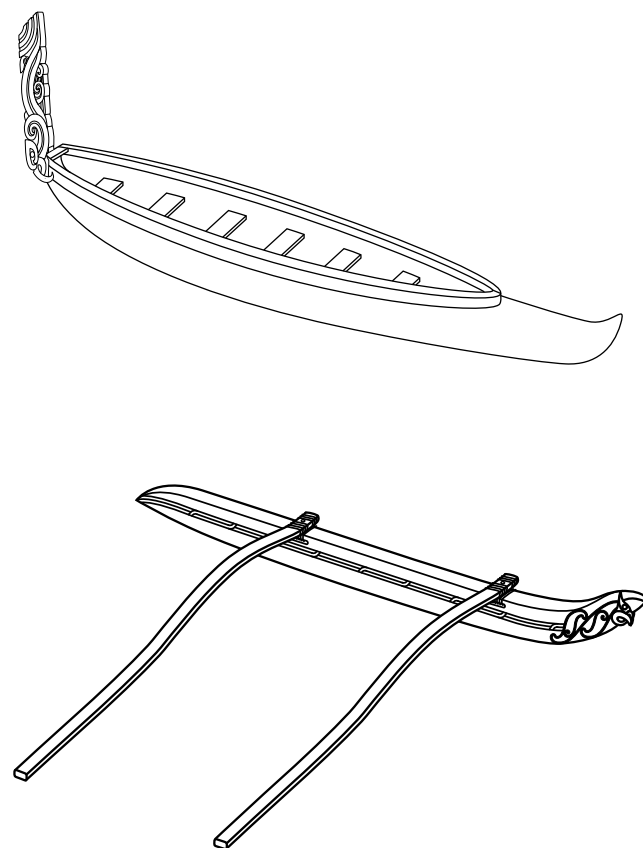
– Lilla Watson/Queensland Aboriginal Rights Group.

In order to achieve equality in health as guaranteed in Te Tiriti o Waitangi, Te Pou Whakamana Kaimatū o Aotearoa will act unequally in favour of those minority groups who have suffered disproportionately under the heel of a health system that has not provided them with an equal health status for all. Council is thus committed to proportionate universalism as a means of addressing health inequities arising within the health system. (Te Tiriti o Waitangi Statement. See Attachment 1)

In order to achieve this goal Te Waka o “Te Pou Whakamana Kaimatū o Aotearoa” needs a partner who can support it, guide it and enable it to achieve its goals faster. That partner is Te Ama, Te Tiriti Advisory Group. Thus Te Waka has elected to seek that equity through partnering in a way that presumes the Pharmacy Council doesn’t have the necessary mātauranga Māori or same world view to make decisions on behalf of Māori. Doing so requires the Council to engage in an authentic manner with all parties and in a way that respects their mana, and is mutually beneficial.

**Waka:** The hull of Te Pou Whakamana Kaimatū o Aotearoa keeps afloat the operational team, the Chair and Council Members, and the Chief Executive. All waka must be kept sea-worthy through meticulous attention to maintaining tikanga and strictly following correct processes.

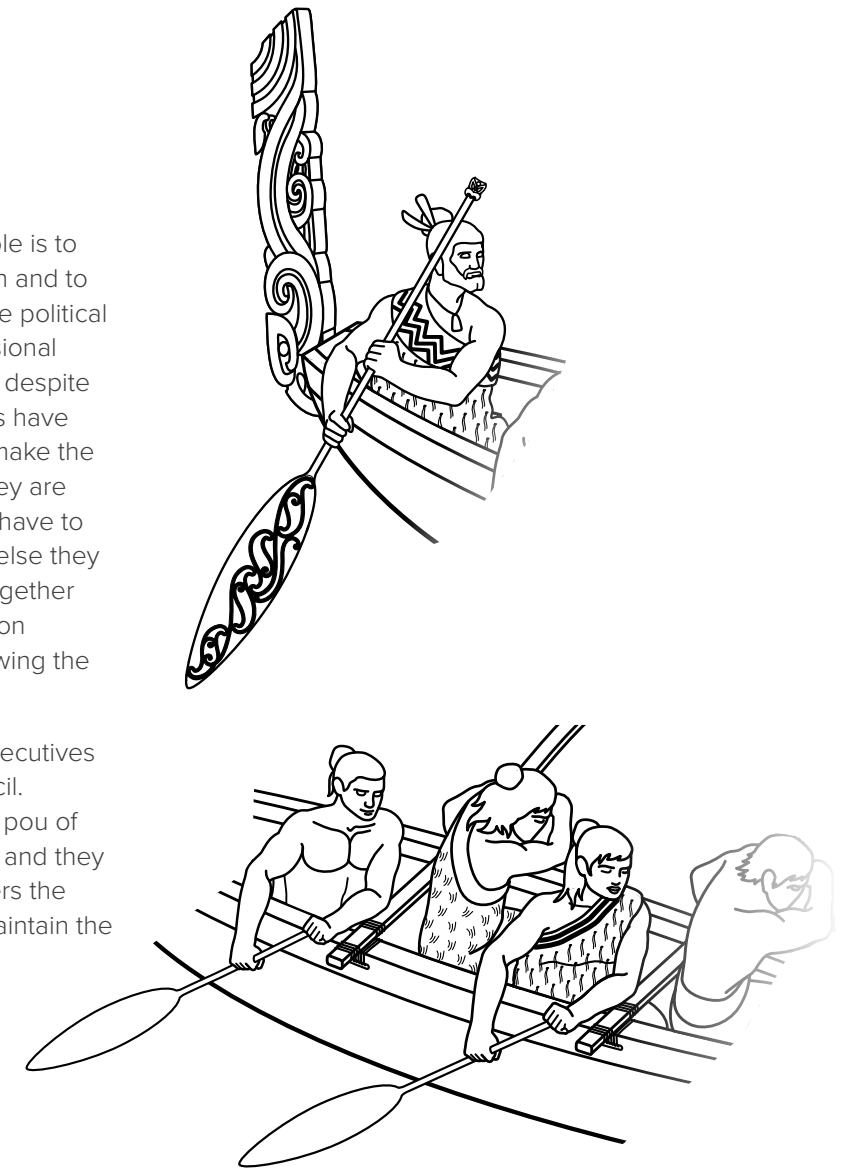
**Ama:** The ama is a crucial and integral element of the waka because it provides the waka with critical stability. Without it the waka will capsize and it will go nowhere fast. The efficiency and safety of the entire waka is dependent on the strength and independence of the ama. The rōpū is an independent voice whose role is to counsel both the Council Members and the operational team and provide them with the necessary advice in areas requiring expertise in mātauranga Māori and the application of a health equity lens, and to do so without compromise.



## Rangatiratanga – Leadership

**Kaiwhakatere:** The Council member’s role is to lead the whole waka in the right direction and to navigate the waves of public concern, the political winds of change and the tides of professional pressures. Rangatiratanga demands that despite all other pressures, the Council members have been chosen to do the right things and make the right decisions on behalf of the public they are charged with protecting. The navigators have to agree on the right course and above all else they have to know their purpose, and work together effectively. They have to keep the waka on course, and keep the waka safe by following the rules of the sea.

**Kaihoe:** The operational team are the executives who work together do the mahi of Council. They are the backbone, the support, the pou of the iwi kaimahi that make up the Council and they are the engine of the machine that powers the waka. They act with integrity and they maintain the integrity of the waka.



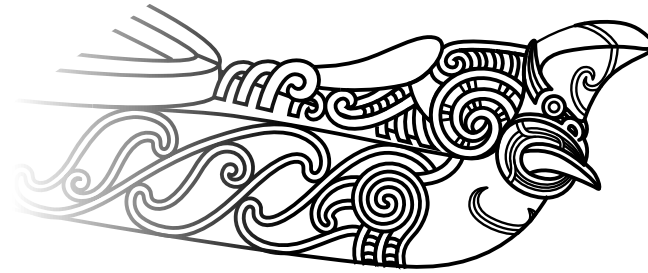
The kaiwhakatere must steer all to safe waters. The ama must provide the balance to enable a swift and safe waka and the kaihoe are the driving force of the waka. These three elements of the waka work together to protect the integrity of the structure of the waka as well as the mana of the Waka itself. The Council members, the operational team and Te Tiriti Advisory Group embody the spirit of what the Waka Ama is striving for as a unit.

The business of the Pharmacy Council Board relies on these entities to support the outcomes and to steer and influence the board where necessary. So while the Ama, the Te Tiriti Advisory Group, provides stability to the Waka, the operational team and the Ama, together, act as mutual supports to drive the board’s outcomes. By honouring the mana of the Ama, the Waka is able to foster the reciprocity, the utu, needed to maintain the relationship and achieve those shared outcomes.

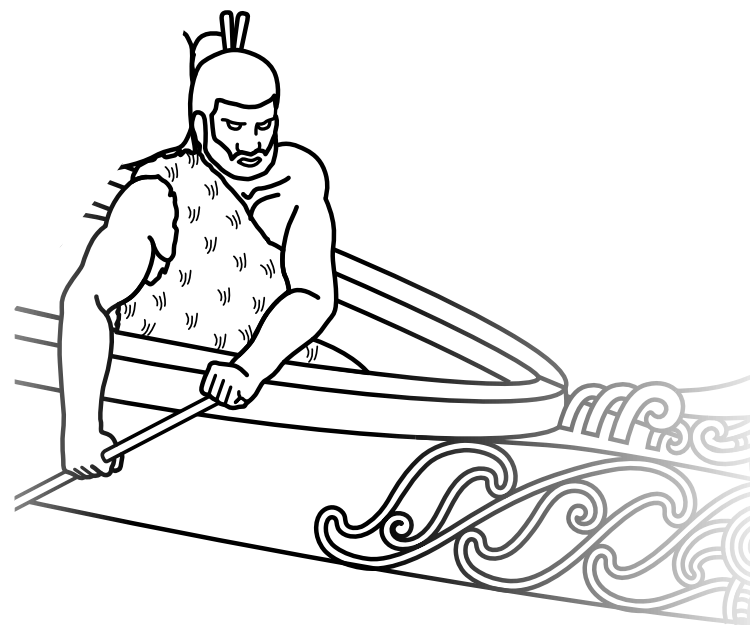




**Pītau Whakareia:** The pītau whakareia is located at the ihu (front) of the waka and is the symbol of mana (importance). The role of the pītau whakareia is one of leadership. Tradition records the ceremonial figurehead of a woman being sculpted at the prow of a ship as it was her role to protect the vessel. The same can be said of the chairperson, who must protect the integrity of the board and establish a strong working relationship with the Chief Executive.



**Tētē Kura:** The role of the tētē kura is to be in charge of the waka and all those who sail in her. This person is given the role of ensuring kaihoe work cohesively and with efficiency, ensuring the waka continually advances forward, safely. The tētē kura and the pītau whakareia work together to ensure all decisions are investigated and fully interrogated and the right decisions are made so that the waka may travel safely. The role of the chief executive is to be the conduit between the Council board and the operational team and the role of the chairperson is to be the singular voice through which the Council board expresses its consensus on what heading the Pharmacy Council needs to take, given the prevailing winds.



All members of the Pharmacy Council NZ have a role to perform, from the pītau whakareia and the kaiwhakaterere, to the tētē kura and the kaihoe, to the ama. It is the personal responsibility of everyone in the Council to maintain, protect and support the operation of the Pharmacy Council.



## 6. Our Karakia

The following karakia by Dee Isaacs expresses the desire for this waka ama to work together as one.

Hoea te waka, kōkiri!  
Whaia te ihu, te pītau whakareia  
Mā ngā kaiwhakatere te waka  
E hīnana ki uta, e hīnana ki tai  
Takahia atu rā, tētē kura  
Hīkakahia ngā kaihoe e te kura  
Tēnei taha o te waka  
Tērā taha o te ama  
Kia hono, kia mau, kia ū  
Kōkirihia te ara ka tika, kia kotahi  
Haramai te toki  
Haumi ē, hui ē, tāiki ē

### A translation of “Hoea te waka”

Set forth on our journey  
Follow the directions of our leader  
The navigators will guide the waka  
They'll search the land, search the sea  
The skipper commands the utmost effort  
The crew are energised by the skipper  
This side of the hull  
That side of the outrigger  
Together they work in unison, hold firm and stay the course  
Ensuring the pathway forward is true and we are unified  
So it is etched  
Let's make it so

## 7. Our Whāriki Tāpui

### He Whāriki Tāpui

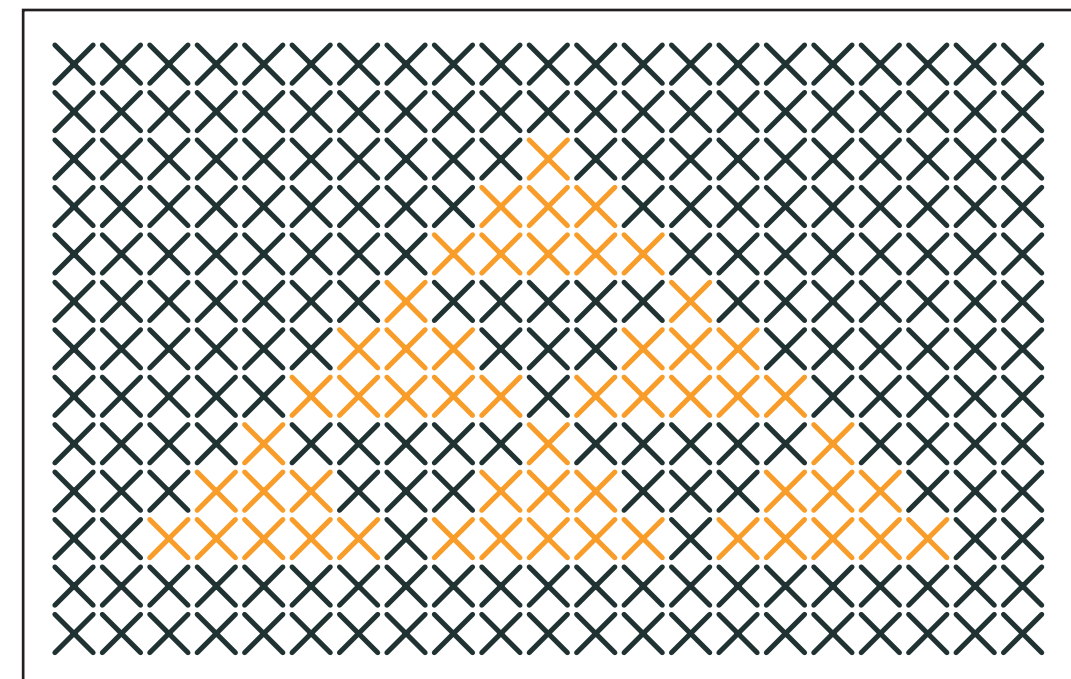
A woven floor mat reserved for formal discussions. In this case the mat is woven together from two different ideologies, Western and te ao Māori.

The interlacing of these two distinct creeds is a deliberate act designed to combine the principles of both worlds into a stronger and more cohesive fabric that underpins the discussions needed to foster genuine engagement. The individual strands of each are still visible and distinct, but together they result in a uniquely different woven artefact.

“Mā pango, mā whero, ka oti ai te mahi”

The Council table = He Whāriki Tāpui = A place of discussion = A consultation venue

Te Pou Whakamana Kaimatū o Aotearoa seeks to conduct its business by bringing parties together around the Council table. Woven ideas, woven discussions.



The design on this contemporary illustration of a whāriki tāpui is a traditional design called ‘aramoana’ – meaning 'pathway of the sea'. This design was often used to reference navigation and voyaging as the design was about 'cutting a path' through the ocean or to a destination.



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## B.

# Establishing a Governance Culture



## 1. Introduction

Consistent with the Health Practitioners Competence Assurance Act 2003 (HPCAA), its legislated mandate, the Pharmacy Council is the organisation that exists to protect the health and safety of members of the public by providing mechanisms to ensure that pharmacists are competent and fit to practise their profession.

To fulfil this purpose the organisation (in broad terms):

- determines the scope of practice within which each practitioner is competent to practise;
- establishes systems to ensure that no pharmacist practises in that capacity outside his or her scope of practice; and
- restricts specified activities to particular classes of pharmacist to protect members of the public from the risk of serious or permanent harm.

## 2. Governance philosophy and approach

Consistent with our intent to govern in a manner that is congruous with tikanga as well as the established rules of good governance and the legislation, the Pharmacy Council has established, and subsequently adopted, our own set of Māori values.

Additionally, Council seeks an authentic partnership with Māori as prescribed in Te Tiriti o Waitangi and to that end strives to animate the principles of Te Waka Ama through the advent of Te Tiriti Advisory Group, the “ama” part of Te Waka Ama. The function of this advisory group is to advise, recommend, critique, assure and support Council in its obligations under Te Tiriti o Waitangi and address the health inequities and disparities for all in Aotearoa.

In Te Tiriti Advisory Group, Council is seeking a lead partner with whom to share discussions and to provide it with wise counsel in areas that are the expertise of Māori.

## Establishment of Māori Values

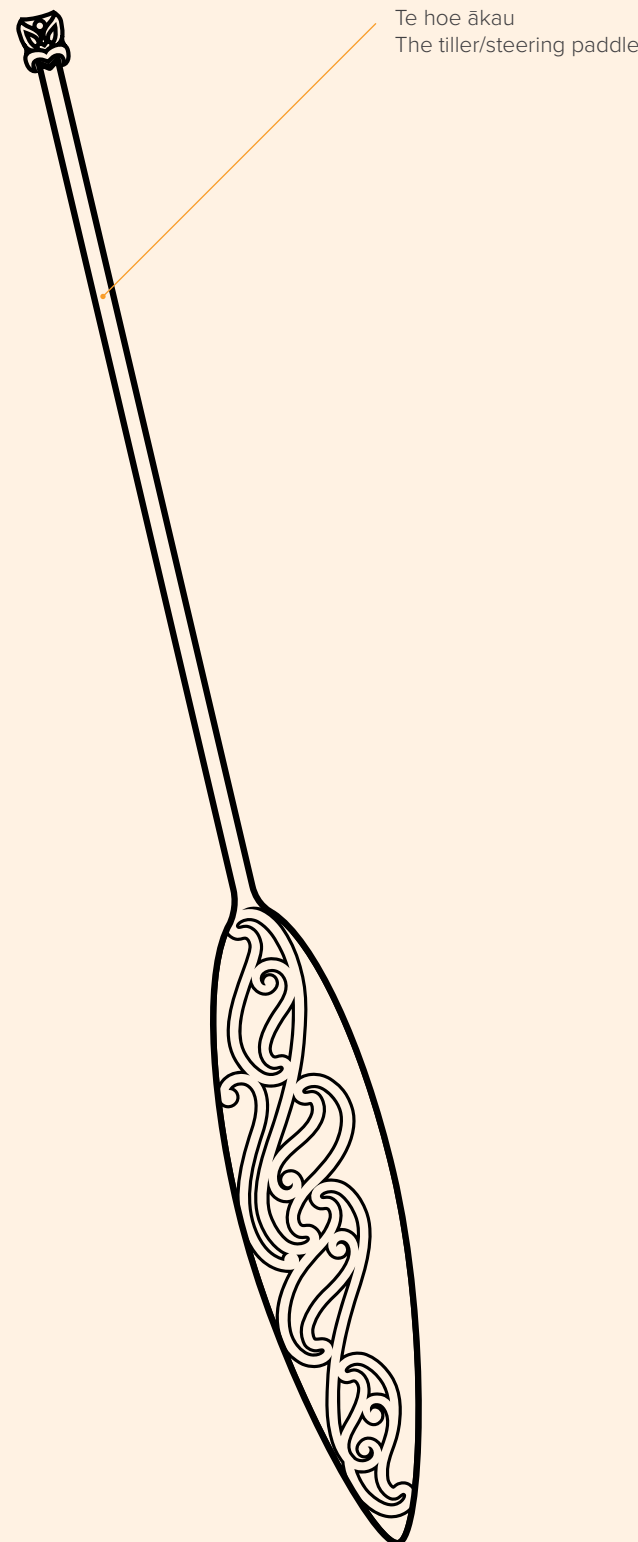
### A mātou whanonga pono<sup>3</sup> – Our values

It took a long time and a great deal of reflection to see the establishment of an agreed set of Māori values for the Council consensus. These came through facilitated workshops led by Ripeka Evans who drew on her considerable mātauranga Māori and her facilitation skills to drill down and tease out the values that we as an organisation felt would be best suited to guide us. The end result was adoption of the following four values:

- Whaioranga – Pursuit of well-being
- Tikanga – Correct processes
- Ōritetanga – Equity in partnership
- Rangatiratanga – Leadership

Those workshops were held with all of the Council members and the operational team combined and it was essential it be a shared decision in order to embed the necessary culture that would foster the required dynamics and ethos for a culturally safe work environment. The end result is a set of values that everyone believes in, both operationally and from a governance perspective.

<sup>3</sup> The use of Te Reo Māori words and phrases are not intended to be seen as a direct translation of their meaning in Te Reo, but rather as a broader description of how those values apply to the Pharmacy Council in practice. This is not an appropriation of the Māori language but a demonstration of our intent to integrate those very same values, ngā whanonga pono, that we share with Māori and the use of Te Reo Māori signals the sincerity of that intent.



They also led to the establishment of a Māori Advisor role with the extremely well respected Kaumātua Sir John Clark who was brought into the fold through his personal relationship with Chief Executive, Michael Pead. We also engaged the advisory services of Ripeka Evans, Mahanga Maru, and Dee Isaacs to facilitate, consult or recommend on matters Māori, specifically because the operational team need to be properly supported when there is a knowledge gap. We have since appointed a Senior Advisor, Māori Health & Equity to support the operational team.

Overall, our values must lay the groundwork for everything we do in the Pharmacy Council and how we conduct ourselves, both in regard to the Council members and the operational body. Our values are our guiding principles and they influence all aspects of our role as the, government appointed, responsible authority that regulates the actions of pharmacists and the impact that they have on the public.

### Whaioranga - Pursuit of well-being

This is the overarching goal of the Pharmacy Council, however no one value is greater than another as their total strength comes from being woven together. Our designated purpose of protecting the safety of the public through the safe and effective practice of pharmacists is our core tenet.

Fulfilling this role requires that we foster engagement across the whole pharmacy sector, with pharmacists, with formal and informal stakeholders and with the public at large. As their agent, we are accountable to the public in the first instance and aspire to achieve greater well-being of the public at large through the establishment and adherence to the highest standards of clinical competence, cultural competence and ethical conduct.

### Tikanga – Correct processes

Central to good governance is observing both correct processes and the correctness of those processes. It is the responsibility of Council to operate in such a way as to consistently observe our tikanga principles around processes and practices as we have formally defined in our various operations manuals. Adherence to our own policies and practices is the cornerstone of adherence to our extrapolation of tikanga.

Council must be transparent in all of its actions and must place the rights of the public ahead of all else. The Pharmacy Council's practices need to be clear, informative and open, so all interested parties can understand its work if it is to demonstrate leadership in the pharmacy sector. The principles under which the Pharmacy Council operates are essential to safe pharmacy practice. The clarity and unequivocal nature of those key publications that impact on the professional practice of pharmacists, such as the Competence Standards for the Pharmacy Profession and the Pharmacy Code of Ethics, are critical to the maintenance of tikanga.



**Ōritetanga – Equity in partnership**

In the pursuit of well-being for all and in order to effect change and achieve equal health outcomes for everyone, the Pharmacy Council has to have functional partnerships with multiple stakeholders. But, relationships are a reciprocal process and both parties must reciprocate and this demands understanding and acceptance of the needs of the partner(s) involved. Being respectful, empathetic, fair and open enables the Council to establish the relationship but for both parties to benefit from the relationship obliges the Council to see the other party’s perspective.

Partnerships are targeted to achieve a set outcome, but when considering what that outcome should be, the determining of that outcome needs to be set autonomously by the partner and not by the Council. This principle of mana motuhake, this self-determination, is critical to the health of the relationship and it is the mechanism for encouraging genuine participation.

Negative health standards are not shared equally across all New Zealanders and the Pharmacy Council acknowledges that Māori are disproportionately impacted by that reality. Māori have been promised by the crown that they are entitled to the same rights as all other New Zealanders, but their right to an equal standard of health has not currently been attained. Active protection in the form of reversing these numerous inequalities requires the Council to actively support Māori in the way that Māori see fit.

For Council, giving effect to Te Tiriti o Waitangi has two main components, one of an authentic Te Tiriti partnership and another of addressing health inequities. They are different but share a common history, which means addressing one will help address the other. For the wider public, that means finding a solution for Māori health inequities will likely lead to finding better health solutions for others who are experiencing health disparities.

The distinction between equality and equity has to be understood. Equality in treatment is premised on the notion that everyone is currently at the same level and that we should treat everyone the same. Equity recognises that not everyone starts from the same place, and we have to level the playing field. Equality is about treating everyone the same. Equity in health is about giving everyone what they need to achieve equal health outcomes. Ōritetanga demands equity and it demands partnership and all evidence points to the fact that raising the health standards of the most disaffected groups raises the health outcomes of the entire population.

**Rangatiratanga – Leadership**

Leadership requires judgment combined with action and the judgment must be fair and just and the action must be proportionate. Demonstrating rangatiratanga demands that the Pharmacy Council retains sufficient flexibility in its decision making processes so as to apply that judgment intuitively and make decisions that are in the best interests of keeping the public safe.

Rangatiratanga also permits the marriage of actions that positively discriminate with those that protect the public, providing the correct processes have been followed. In this way Rangatiratanga (– Leadership) enables Ōritetanga (– Equity in Partnership) through Council’s commitment to proportionate universalism as a means of addressing health inequities arising within the health system.

Sound leadership must also be agile enough to draw out the best resolutions in a timely manner and take appropriate courses of action.

The Pharmacy Council is charged with promoting education and training in the profession. Combining that with our defined principle of whaioranga, on the basis that it underpins our entire value structure, means we are committed to fostering improvements across the entire pharmacy sector for the betterment of the public and not just their safety, since raising the overall standards of the profession raises the overall safety levels for the public.

The Pharmacy Council shows inherently that it is a leader in the health sector by being competent, effective, efficient and proactive. It has a clear work programme that supports the future of the pharmacy sector. This work programme is consistent with our legal obligations, our tikanga, and strategically supports the vision and direction of proactive right- touch regulation that protects the public, supports the profession and engenders confidence in the organisation.

**Te Tiriti o Waitangi and Co-Governance**

The current HPCA Act (2003) limits statutory co-governance with Māori. However, Te Tiriti Advisory Group has been formed by Council in the spirit of co-governance and the union of an authentic partnership.

Te Tiriti Advisory Group is autonomous in a manner consistent with the principle of Mana Motuhake and the group is invited to exercise its influence and help steer Council’s decisions and activities in the spirit of partnership. It is noted that this relationship is built on a foundation of trust through demonstrable actions and behaviours over time. - See Te Tiriti o Waitangi Statement (Attachment 1).

As a result of these several, and intersecting, principles;

The Pharmacy Council will govern the organisation with an emphasis on:

- Serving the purpose of the Council, i.e. to ensure that all pharmacists are competent and fit to practise in the multitude of roles they perform, in order to keep everyone’s whānau safe and healthy.
- Giving effect to Tiriti o Waitangi through the four goals outlined by the Ministry of Health as the foundation of meeting Te Tiriti obligations, namely mana whakahaere, mana motuhake, mana tangata and mana Māori and the embedding of Te Tiriti principles in the work done.





- Expressing accountability to the public for the performance of Pharmacy Council and for the Council's stewardship of the organisation in the fulfillment of its purpose.
- Remaining up to date in terms of the public's concerns, needs and aspirations towards the practice of pharmacy.
- Taking a future focus rather than being preoccupied with the present or past.
- As well as identifying and applying itself to those governance-related matters to which it can add the greatest value, the Council will diligently carry out such other functions as are prescribed by law.
- Ensuring that its leadership, in the exploration of strategic issues relating to the practice of pharmacy and the performance of the organisation, is not neglected at the expense of immersion in the administrative detail involved in the regulation of professional practice.
- Articulating an effective strategic direction and policy framework as a basis for delegation to the Chief Executive and to guide or direct resource allocation and all operational activity as per the delegation policy.
- Active monitoring of organisational performance in relation to Council set performance expectations.
- Behaving proactively rather than reacting to events and others' initiatives.
- Bringing a diversity of opinions and views to bear on its decisions.
- The development and expression of a collective responsibility for all aspects of the organisation.
- Notwithstanding it is the ultimate responsibility of the Minister of Health to make appointments to the Council, undertake active succession planning for both Council and key employees.
- Ensuring there is a positive and safe working environment for both executives and employees and that they are supported to do their best work.

### 3. Responsibilities of the Council as the governance body

The Council governs the organisation on behalf of the public and is responsible for the effective and efficient stewardship of the Pharmacy Council and for the assurance of its future well-being.

The Council's first duty is to act in the interests of the public ahead of the profession.

The Council also has a responsibility to its various stakeholders to ensure that available resources are used to deliver the 'right outcomes' to the 'right people' in the 'right way'.

In the exercise of its governance responsibilities particular expectations of the Council are that it must:

1. Establish and promote the Pharmacy Council's purpose, strategic direction, and priorities, creating a higher-level framework within which all further planning and decision-making takes place.
2. Ensure there is an organisational culture which supports the organisation's purpose and associated values and that stakeholders, both within and external to the organisation, are treated in a respectful and transparent manner.
3. Establish and implement policies that direct and control plan implementation and operational activity.
4. Identify, characterise, and set expectations for the management and monitoring of organisational risk.
5. Ensure that the organisation acts lawfully and in compliance with all internally and externally imposed requirements.
6. Establish and maintain constructive, effective, and appropriate relationships with key stakeholders.
7. Employ the Chief Executive in a manner consistent with 'Good Employer' principles.
8. Monitor management and organisation performance against Council-set criteria.
9. Take active steps to influence the appointment process so that the Council has a mix of members whose collective skills, knowledge and experience, and whose personal attributes equip the Council to meet the expectations set out in this charter.

# Attachment 1

## Te Tiriti o Waitangi Policy Statement

### Section One – Policy Statement

Te Pou Whakamana Kaimatū o Aotearoa | The Pharmacy Council (Council), as a responsible authority, independent from the Crown, recognises its role and responsibilities to meet its obligations under Te Tiriti o Waitangi. To enable Council to meet its obligations, it acknowledges the Te Reo Māori text and is committed to proportionate universalism.

Council recognises that Te Tiriti emphasises systemic and multi-levelled approaches are needed to improve Māori health and equity and that it is central to Aotearoa New Zealand's health system. Council is dedicated to eliminating institutional and structural racism in health in pursuit of equity and Pae Ora, recognising that this requires the organisation to be actively and visibly anti-racist and to take action in response to need. This statement confirms Council's commitment to deliver on obligations under Te Tiriti o Waitangi.

### Introduction

Te Tiriti o Waitangi (Te Tiriti/Tiriti) is one of the founding documents in Aotearoa New Zealand and acts as a guiding framework to advancing partnership, achieving equitable outcomes, and enabling the collective well-being of Aotearoa New Zealand. This Te Tiriti o Waitangi Policy Statement is a formal expression of Te Pou Whakamana Kaimatū o Aotearoa | The Pharmacy Council's (the Council) intention of being a good Tiriti partner and broadly outlines how we will honour our obligations, responsibilities, and commitments to te Tiriti. This commitment applies to both the undertaking of our statutory functions and responsibilities, and our day-to-day work. This policy statement is a 'living document', one that can evolve as the organisation's expectations and Aotearoa New Zealand's maturity on te Tiriti grows and adapts over time. The Policy Statement will be considered annually by the Pharmacy Council's Te Tiriti Advisory Group and will go through a systematic review every five years to ensure it remains relevant and in line with good practice.

### Contra Proferentem

The contra proferentem rule of international law outlines that when two versions of a contractual document exist, and there is ambiguity in a stated agreement, then the preferred contract should be the one that works against the party who drafted the agreement.<sup>3-4-5</sup>

- 3 Came H, O'Sullivan D, Kidd J, McCreanor T; The Waitangi Tribunal's WAI 2575 Report: Implications for Decolonizing Health Systems: Health and Human Rights Journal; 22 (1); 2020; 209-220: <https://www.hhrjournal.org/2020/06/the-waitangi-tribunals-wai-2575-report-implications-for-decolonizing-health-systems/>
- 4 Waitangi Tribunal, Hauora report on stage one of the health services and outcomes inquiry (Wellington: Waitangi Tribunal, 2019), xiii. Xiv, p163
- 5 Waitangi Tribunal. (2016). Meaning of the Treaty. <https://waitangitribunal.govt.nz/treaty-of-waitangi/meaning-of-the-treaty/>





When this thinking is applied to discrepancies between Te Tiriti o Waitangi (the Te Reo Māori version) and the Treaty of Waitangi (the English language version) it means that Te Tiriti should be upheld in place of the Treaty. With notable differences observed between the English and Te Reo Māori texts, it is important to note here that any references made to Te Tiriti throughout this policy statement refers solely to the Te Reo Māori text and the principles behind that text. The Council are united in acknowledging and upholding Te Tiriti in all our work.

## Proportionate Universalism

Proportionate universalism refers to the resourcing and delivering of universal services at a scale and intensity proportionate to the degree of need<sup>6</sup>. In a broad health setting, this means that services are universally available and are able to respond to the level of presenting need. Within Council's work, proportionate universalism means resourcing, activity, and priority is delivered at a scale and intensity proportionate to the degree of need. If we know that Māori have disproportionately worse outcomes across a wide range of health and social issues<sup>7</sup> then the Council's resourcing, activity, and priority of work needs to reflect this.

## Expression of Te Tiriti o Waitangi

The Ministry of Health outlines four goals as the foundation of meeting Te Tiriti obligations, each of these is expressed in terms of mana<sup>8</sup>. The Council acknowledges these goals and endeavours to centre them in their work and statutory functions<sup>9</sup>.

<sup>6</sup> Ministry of Health. (2018). Achieving equity in health outcomes: Highlights of important national and international papers. <https://www.health.govt.nz/publication/achieving-equity-health-outcomes-highlights-selected-papers>

<sup>7</sup> Borell, B., Rewiri, K. T. W., Barnes, H. M., & McCreanor, T. (2020). Beyond the veil: Kaupapa Māori gaze on the non-Māori subject. *Journal of Sociology*, 56(2), 197-212. <https://journals-sagepub-com.ezproxy.massey.ac.nz/doi/pdf/10.1177/1440783319893503>

<sup>8</sup> Ministry of Health. (2020). Te Tiriti o Waitangi and the health and disability system. <https://www.health.govt.nz/system/files/documents/pages/whakamaui-tiriti-o-waitangi-framework-a3-aug20.pdf>

<sup>9</sup> These goals have been adapted to reflect the Pharmacy Council's own statutory functions as a responsible authority within the pharmacy profession.

## The Goals

- Mana whakahaere – effective and appropriate kaitiakitanga over the regulation of pharmacists
- Mana motuhake - enable the right for Māori to be Māori, to exercise their authority over their lives, and to live on Māori terms and according to Māori philosophies, values and practices including tikanga Māori
- Mana tangata – achieving equity in health and disability outcomes for Māori across the life course and contributing to Māori wellness
- Mana Māori – enabling ritenga Māori which are framed by te ao Māori, enacted through tikanga Māori and encapsulated within mātauranga Māori The Council aims to achieve these goals by embedding Tiriti principles into their work.

## The Principles

The principles of Te Tiriti, as articulated by the Courts and the Waitangi Tribunal, provide the framework for how we will meet our obligations under Te Tiriti in our day-to-day work. The following principles were identified in the 2019 Hauora<sup>10</sup> report and outline how the Council will meet its Tiriti obligations:

- Tino rangatiratanga – the Council will provide for Māori self-determination and mana motuhake in the design, delivery, and monitoring of all our work
- Equity – the Council is committed to achieving equitable health outcomes for Māori, which means centring equity in all our work and amending processes and standards to allow for more equitable outcomes
- Active protection – the Council will act to achieve equitable health outcomes for Māori by being informed on the extent and nature of Māori health outcomes and efforts to achieve Māori health equity
- Options – the Council will ensure that all their services are provided in a culturally appropriate way that recognises and supports te ao Māori models of practice
- Partnership – the Council will work in partnership with Māori in the governance, design, delivery, and monitoring of its work and statutory functions

<sup>10</sup> Waitangi Tribunal, Hauora report on stage one of the health services and outcomes inquiry (Wellington: Waitangi Tribunal, 2019).

## Taurapa / Stern

The taurapa or stern-post contains elements that are commonly found on most waka. The practical purpose was to aid in providing balance and stability to the waka. The takarangi spiral has meaning that relates to enlightenment.

The two intersecting solid spirals represent Ranginui and Papatūānuku and the close bond they share. The centre of the Takarangi represents the origin of all, the beginning, singularity. The open space between the two spirals symbolises Te Ao Mārama (the world of light and knowledge) and the link man has with wairua – the spiritual dimension.

## Puhoro

The puhoro kōwhaiwhai pattern found on the hoe ākau and at the rear of the pītau whakareia on the canoe hull, is a design with connections to Tangaroa – the Māori deity of the oceans and rivers. It is drawn in a way that is similar to the movements of water, particularly where the hoe or paddles of a waka hit and pull the water and leave a spiral design in its wake. This split koru design represents speed, swiftness and agility.

