

Organisational Change – Māori Crown Relations

Decisions for the Māori Crown Relations group

Decision document

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Message from Te Tumu Whakarae

Kia ora tātou

Thank you to everyone who provided feedback as part of this consultation process. The responses and suggestions we received were thoughtful and constructive. It was clear people have put time into thinking about the proposals and giving us considered feedback.

The commitment people working in the Māori Crown Relations function have for their role came through strongly. This commitment is an asset to the organisation and the Crown in its role as a Treaty partner.

There were nine pieces of written feedback, which we have thought about carefully.

There were some common themes in the feedback, including around the way the change proposals could be perceived by Iwi and within Toitū Te Whenua, ensuring a voice for Māori at the senior leadership table, as well as capacity within the Māori Crown Relations function.

After carefully considering all the feedback provided, we have decided to confirm most of the proposals, but we have recognised there is a continued need for a Kaihautū level role to provide specialist knowledge and advice to the Chief Executive and leadership team.

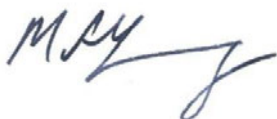
The feedback was clear and consistent about the risks of disestablishing the Kaihautū Māori Crown Relations role, how it would likely be perceived by our Treaty partners, and the possibility of undermining the work within the organisation to focus on delivering Treaty settlements and increase our confidence in engaging with Māori. We recognise more work is needed to define and shape the future Kaihautū role. While this work is being done, the Kaihautū role remains affected, but other changes will go ahead.

The structural changes we are making will help us better deliver on our core role in Māori Crown relations. We remain committed to delivering our three core functions:

1. Continuing to strengthen our capability and confidence to engage meaningfully, and work in partnership with Māori.
2. Building and maintaining constructive relationships with Māori and iwi.
3. Delivering on our Treaty settlement obligations.

Providing certainty quickly is important in processes like this. We are moving to promptly implement the structure change decisions, with an effective date of Thursday 1 August 2024. The work to develop a new Kaihautū role is getting underway now and will be completed over the next few months.

Ngā mihi nui



Murray Young, Te Tumu Whakarae/ Chief Executive (Acting)

Where to go for support

People can respond to change in different ways, and our individual response can be different at different times. This is normal.

Your wellbeing is important, and support is available. If you would like support at any time, please reach out. You can talk to your leader or the Head of People.

If you are a PSA member, you can approach a PSA delegate. The PSA has a copy of the decision document, and we have briefed our PSA organiser on the decisions.

Free and confidential wellbeing and mental health support is available at any time through wellbeing services provider Clearhead. Contact details are available on Whatukura.

This decision document

This document sets out the decisions on the proposals for Māori Crown Relations. It includes a summary of the case for change and proposals, feedback received, and final decisions.

We received 9 pieces of written feedback from individuals relating to the proposals.

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Recap of Case for change

1. Toitū Te Whenua is committed to being a respected and honourable Treaty partner with strong and enduring relationships. We are committed in our obligations to iwi and Māori, building enduring relationships to achieve shared aspirations, and ultimately achieving better outcomes for New Zealand, Toitū Te Whenua and Māori.
2. Phase One of Organising Ourselves recognised this commitment with the decision to expand the Office of the Chief Executive to include a strengthened team, led by a Kaihautū Māori Crown Relations, to help us strengthen our internal capability, enhance our Māori Crown relations, and our contribution to the Crown's role as a Treaty Partner.
3. Since Phase One of Organising Ourselves the functions and makeup of the team has changed and evolved in response to changing organisational pressures and challenges. This includes moving the Treaty settlements team from Crown Property into Māori Crown Relations, followed by a confirmed new structure for both Māori Crown Relations and Crown Property in Organising Ourselves Design Phase Part Two.
4. Alongside this, it was confirmed that Māori Crown Relations would continue in its role in strengthening Toitū Te Whenua's internal capability and continue to drive delivery of our Whāinga Amorangi plan.
5. As an organisation we are working to be more agile in our approach to our work and delivering the services we provide. Being agile means building on strengths and changing to make us more effective where we need to.
6. Toitū Te Whenua plays an important role in meeting obligations to Iwi and Māori through our Treaty settlement implementation work. This work is an organisational priority and we know that it will continue to grow in volume and complexity. We need to reconsider arrangements for the Māori Crown Relations function and take a more joined-up approach, so that Toitū Te Whenua can meet its obligations in an efficient and timely way.
7. Our experience is that the current configuration of a separate centralised group is not enabling us to deliver on our commitments in a way that is integrated, prioritised, and maximises our capability and capacity.

Change proposals, what we heard, and decisions

Recap of proposals

8. We proposed to move from a centralised to an integrated model for our Māori Crown Relations function. This would mean that we would no longer have a separate Māori Crown Relations group. We proposed that the majority of the group's functions (and people) would move to our delivery-focused business group, Customer Delivery. This proposal recognised that our major contribution as an organisation to Māori Crown relations is through the delivery of our Treaty settlement work.
9. We proposed that one of our current Kaitohutohu Mātāmua / Principal Advisors stay within the Office of the Chief Executive. This role would have an important job of advisor to the Chief Executive and Kaihautū on Te Reo and Te Ao Māori, tikanga and engagement. The Principal Advisor was also proposed to lead He Mahere Whāinga Amorangi, our Whāinga Amorangi Plan to lift and strengthen Toitū Te Whenua's capability to engage with and understand Māori perspectives.
10. In summary, the change proposals were to integrate the currently centralised functions of the Māori Crown Relations group as follows:
 - a. Move the current Relationships team to Customer Delivery, with the Tumuaki Momo Mahi / Head of Relationships having a change in reporting line to Kaihautū Customer Delivery, and change in title to Tumuaki Momo Mahi / Head of Māori Crown Relations.
 - b. Change reporting lines for the two current Kaitohutohu Mātāmua / Principal Advisors:
 - i. One to remain in the Office of the Chief Executive, with a change in reporting line to the Ringatohu / Director of the Office of the Chief Executive.
 - ii. One to move to the Relationships team, reporting to the Tumuaki Momo Mahi / Head of Māori Crown Relations.
 - c. Establish a new Kaitohutohu Mātāmua / Principal Advisor role reporting to the Tumuaki Momo Mahi / Head of Māori Crown Relations.
 - d. Disestablish the [s 9(2)(a)]

What we heard from feedback and response

11. We received nine pieces of written feedback, all submitted by individuals. The submissions were constructive and thoughtful.
12. The feedback showed that people are passionate and committed to their roles and their team, and care about achieving the best outcomes for Toitū Te Whenua and

Māori. Some of the feedback expressed concerns about a sense of loss of identity for Māori Crown Relations and the risk of losing ground on relationships with Iwi, when good progress has been made.

13. We also discussed the proposals with the PSA and with senior leaders in relevant areas of Toitū Te Whenua.
14. The feedback was consistent in a number of areas, with common themes coming through the submissions.
15. All feedback has been considered and discussed. The key themes of feedback, and our response to them are set out below.

Perceptions of Toitū Te Whenua's commitment to working with Iwi as Treaty partner

16. Perception risk was a concern consistently and clearly expressed in all submissions, and in discussions with senior leaders and the PSA. This concern centres on how Iwi, other stakeholders and government agencies, as well as Toitū Te Whenua kaimahi, will interpret the proposal to disestablish Māori Crown Relations as a stand-alone function. Particular concern was expressed regarding the disestablishment of the [s 9(2)(a)]
17. Submitters were concerned that if the disestablishment proceeded, this will be negatively received by Iwi, who appreciate having a person at [s 9(2)(a)] who is a voice for Māori [s 9(2)(a)] and acts as a senior point of contact and escalation for them.
18. There was also concern that disestablishing the [s 9(2)(a)] role could be seen among Toitū Te Whenua kaimahi as downgrading or deprioritising the need to be an honourable and respected Treaty partner.
19. Observations were made about how the organisation views our Māori Crown work, and how Te Ao Māori and Tikanga is embraced by our kaimahi. Examples of progress were highlighted, but it was clear from the feedback that we need to continue work to strengthen and embed our role supporting the Crown in its relationship with Māori under Te Tiriti, how we work with Iwi, and the collective outcomes we achieve. There was concern in submissions that disestablishing our Kaihautū level role risks undermining the progress being made to lift organisational awareness and confidence in tikanga and Te Reo Māori.

Relationships and engagement with Māori

20. Feedback highlighted that the ability to talk [s 9(2)(a)] for senior Iwi leaders to engage with [s 9(2)(a)] leader at Toitū Te Whenua, is important to Māori, and disestablishing the [s 9(2)(a)] role could be interpreted as disrespectful.
21. There was also concern that removing the stand-alone team as well as the [s 9(2)(a)] role would diminish the mana of the function and the team. Feedback suggested that it could be seen as Toitū Te Whenua reducing or backing away from our commitment to relationships with Iwi and partnering with other government agencies, and meeting Treaty settlement obligations.
22. Some of the feedback questioned how removing a dedicated voice for Māori [s 9(2)(a)] aligned with being a respected and honourable Treaty partner.

Name of the Customer Delivery group

23. Many of the submissions expressed concern about the name of the Customer Delivery business group.
24. While a focus on meeting the needs of our customers is designed to help provide the best possible public services across the board, we recognise that Iwi are Treaty partners and in that context are not customers or stakeholders. We also recognise that any reference to Iwi as customers will be received negatively.
25. Different types of relationships need to be recognised differently, and it is important that the unique relationship between Māori and the Crown is properly recognised.
26. As a result, we will explore options for renaming the Customer Delivery Business group to better reflect all dimensions of the work of the group, following this change.

Capacity within Māori Crown Relations

27. There was concern expressed about the capacity that exists within the current Māori Crown Relations structure. The concerns centred on two particular areas of capacity, the amount of business support provided to the group, and the workload for the Head of Function.
28. Toitū Te Whenua has dedicated Business Specialists who provide support, coordination and logistics assistance to business groups. These are important roles that facilitate groups to function efficiently and deliver high quality services to Treaty partners and customers.
29. Feedback highlighted that Māori Crown Relations has had limited business support. This has included the Leader Business Management being split between both Organisational Effectiveness and Māori Crown Relations, with one Business Specialist

role for support. This has not always provided the same level of consistent support as other groups have available.

30. There was also concern expressed about the workload for the proposed Head of Māori Crown Relations. The concern relates to the ability to effectively carry out the relationship management and engagement with Iwi, the internal engagement necessary to facilitate and implement settlements, as well as leading and managing the Māori Crown Relations team. Feedback highlighted that the Head of Function has played an important role in developing team and group culture and there is concern that could be lost with an increased workload.
31. There were two solutions suggested in submissions. The first was to create an additional leadership role to take the staff leadership responsibilities, leaving the Head of Function more able to focus on their engagement, strategic direction and strategic advice roles. The other suggestion was for the Principal Advisors in the team (existing and proposed new role) to take on more responsibility for work management and day-to-day leadership within the team.

Working alongside Crown Property

32. Feedback indicated a desire for Relationship Partners to continue to build connections and understanding with Crown Property colleagues, so the teams can work more closely together to deliver outcomes for Iwi on behalf of the Crown.
33. Suggestions were made for different structural arrangements based on the case for change. These all supported a more joined-up approach to the Treaty settlement work with the programme being delivered under one centralised group, but they did not enable greater integration of our Māori Crown work and obligations.
34. Feedback indicated that the current squad approach is effective, and we need to continue to embed and develop work practices. The squad approach drives consistency of practice and joint understanding of processes, pressures and needs.

Decisions

35. There was clear and consistent feedback on the proposal to disestablish the [s 9(2)(a)] ██████████ role and the risks to our reputation and relationships with Iwi, Māori and key government partners, as well as the mana and support for our internal work programme and priorities.
36. The proposal to disestablish the [s 9(2)(a)] ██████████ role **will not proceed as it was proposed.**

37. We have decided to retain a [s 9(2)(a)] role focused on Māori, meeting our obligations under Te Tiriti, and being an honourable and respected Treaty partner. This role will remain reporting directly to [s 9(2)(a)] with the specific responsibilities of the role to be developed. Decisions on this will be considered separately over the coming months as we determine exactly what is needed going forward to support the [s 9(2)(a)]
38. Given the decisions that are explained below, it is clear that the future [s 9(2)(a)] role will be different to the current role. It will no longer have a Māori Crown team reporting to it, and will therefore have 'affected' status until further decisions are made about the shape and responsibilities of the role.
39. The following proposals for Māori Crown Relations are **confirmed**.
- a. The current Relationships team will move to the Customer Delivery Group, with the Tumuaki Momo Mahi / Head of Relationships having a change in reporting line to Kaihautū Customer Delivery, and change in title to Tumuaki Momo Mahi / Head of Māori Crown Relations.
 - b. The two current Kaitohutohu Mātāmua / Principal Advisors will have the following reporting lines:
 - i. One to remain in the Office of the Chief Executive, with a change in reporting line to the Ringatohu / Director of the Office of the Chief Executive.
 - ii. One to move to the Relationships team, reporting to the Tumuaki Momo Mahi / Head of Māori Crown Relations.
 - c. We will establish a new Kaitohutohu Mātāmua / Principal Advisor role reporting to the Tumuaki Momo Mahi / Head of Māori Crown Relations.
40. Feedback raised several areas for further clarification and thought as we work on the transition and implement changes. These are discussed in the following section.

Consideration of feedback

Perceptions around commitment and engagement with Māori

41. As an organisation we are committed to supporting the Crown in its relationship with Māori under the Treaty and being a respected and honourable Treaty partner. The consultation proposal was aimed at strengthening our collective responsibility for our Māori Crown relations, to which our Treaty settlement work programme is a major contributor. Having greater integration across our Treaty settlement work programme will deliver improved outcomes to Iwi.
42. All kaimahi at Toitū Te Whenua share responsibility for being a respected and honourable Treaty partner, and we all must consider what this means within our day-to-day work. As highlighted in the feedback, we still have work to do to educate and

embed this into all our work, but we are making progress. This will continue to be an organisational priority.

43. The feedback on the perception risks around the proposal to disestablish the [s 9(2)(a)] role was clear and consistent. This feedback has been carefully considered.
44. Whilst all our Kaihautū are collectively responsible and committed to ensuring we are a respected and honourable Treaty partner, and this responsibility should not fall on one [s 9(2)(a)] alone, we have decided to retain a [s 9(2)(a)] role focused on Māori and Treaty obligations.
45. The role and responsibilities of the [s 9(2)(a)] role will need to be considered and developed. With the structural changes we are making, this role will look different to the current [s 9(2)(a)] . This development work will start now, and we will share further information on timeframes as it becomes available.
46. We have a number of senior and capable kaimahi who already engage regularly with Iwi, Māori and key government partners such as Te Puni Kōkiri and Te Arawhiti, and this will not change. We have trust and confidence in our people to represent Toitū Te Whenua and know when to call on others to support their engagement activities. Our Heads of Crown Property and Māori Crown Relations already have strong relationships with Iwi and partners. They will continue to provide senior level representation for Toitū Te Whenua in these engagements, with support from Kaihautū as needed.
47. The accountability and responsibility for delivering the Treaty Settlement work programme will sit with the Kaihautū Customer Delivery. It is expected that when required, the Kaihautū Customer Delivery would attend hui to represent Toitū Te Whenua and enable Rangatira to Rangatira engagement on the implementation of Treaty settlements.
48. Te Tumu Whakarae has ultimate responsibility across all our Māori Crown work. They will continue to engage and represent Toitū Te Whenua at key executive level hui and events with both Iwi and key government partners, such as Te Puni Kokiri and Te Arawhiti.
49. We recognise that Iwi are Treaty partners and not customers, and we want to ensure that the Customer Delivery group name reflects this. We will be changing the name of the Customer Delivery group and are currently considering appropriate options. Deciding on and implementing a change of this nature requires a well-developed timetable and work programme as updates to a number of systems, processes and delegations, as well as things such as email signatures. We are aiming to make decisions on this by the end of August.

Capacity

50. We acknowledge that adequate business support is needed for the Māori Crown Relations team, and we will ensure there is resource in place to provide this support. In the lead up to implementation, the Leaders – Business Management across both Organisational Effectiveness and Customer Delivery will review the arrangements to ensure there is adequate support available across both groups.
51. Currently a small business squad of our Organisational Effectiveness kaimahi is in place to provide support for the planning, and performance reporting on our Treaty settlement work programme. This business squad will continue in its current form for as long as it is required and may evolve over time.
52. We have considered whether an additional Leader is necessary to support the Head of Māori Crown Relations. Based on the size of the team, and in line with our Organisational Design principles we do not believe an additional Leader role is the best option. The Head of will be responsible for considering how the team works and the role that Principal Advisors can play to support the team in providing work leadership. Our Principal level roles (Thought Leaders) have been designed specifically to have the capability to lead, coach and mentor as well as providing thought leadership and take on complex work.
53. Our Treaty settlement work programme is a major contributor to our Māori Crown relations, and we need to increase our focus to deliver more effectively for Iwi. With greater integration, and a more focused approach, we feel the capacity to actively lead and drive delivery of this work from both the Head of Māori Crown Relations and Crown Property will be increased.

Working with Crown Property

54. It is critical for Toitū Te Whenua and Iwi that there is a well-integrated work programme across all aspects of Treaty settlement work. We recognise this work is often complex and involves many moving parts. Significant progress has been made to identify and acknowledge the responsibilities across both areas and how they can work together to achieve collective outcomes.
55. Moving forward, the Heads of will continue to work together to ensure the teams build connections with each other, enhance ways of working utilising agile practices, and deliver an integrated work programme.

Change process

56. We want to make sure we treat our people fairly and with respect. We proposed a change process drawn from our commitments under our employment agreements

and consistent with the process used in previous change processes, and an approach that minimises the impacts of change on our kaimahi.

57. We did not receive feedback or comments on the proposed change process. We are therefore confirming the change process outlined in Appendix 4.

Next steps

58. Permanent/open-term and fixed-term employees who are included in these decisions have received a letter which outlines the decisions and the outcomes for them individually.

59. People whose roles are affected by these decisions have had a one-on-one discussion and received a letter explaining what is happening with their role and the process that will be followed.

60. The changes to team and individual reporting lines will be effective from Thursday 1 August 2024.

61. Work to develop the new Kaihautū role will start now. There is no specific timeframe for completion at this point, but we expect it to be completed in the next few months.

62. There will be detailed information provided in advance of any implementation requirements.

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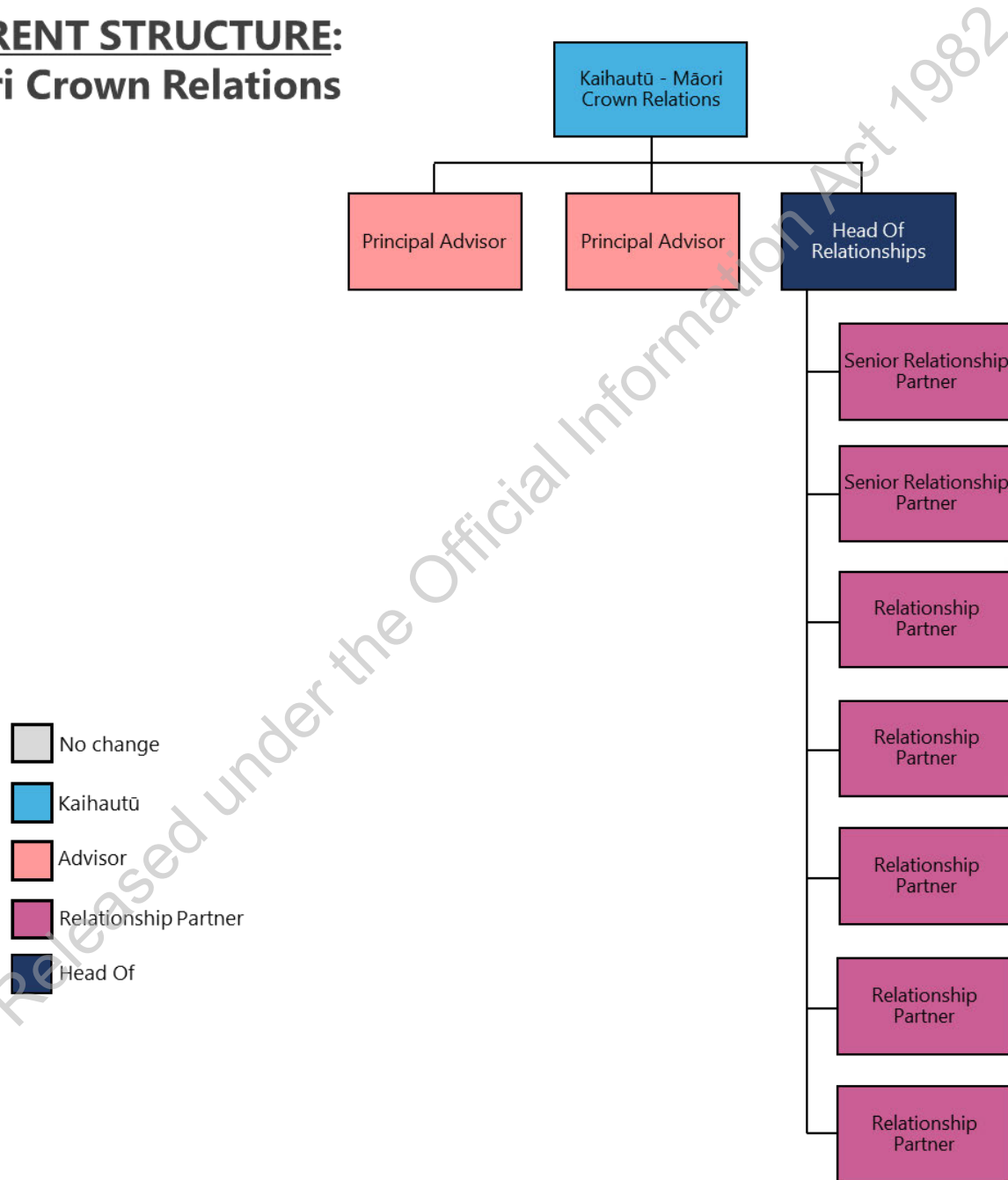
Appendix 1 – Confirmed changes to roles

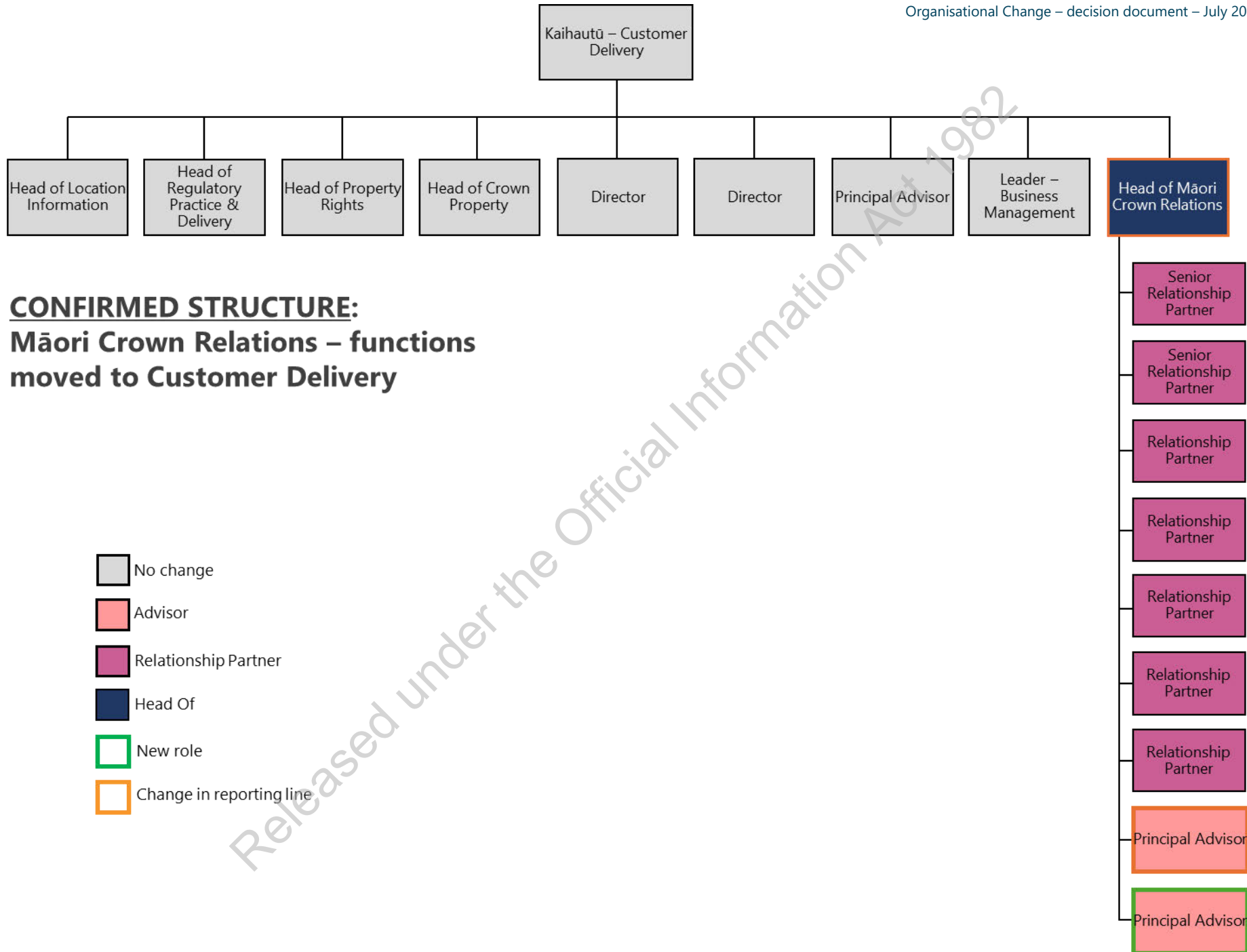
Māori Crown Relations

Role	Confirmed status of the role	Confirmed reporting line
[s 9(2)(a)]	[s 9(2)(a)]	No change from current
Tumuaki Momo Mahi / Head of Relationships	Change in title to Head of Māori Crown Relations	Change of reporting line to Kaihautū Customer Delivery
Kaitohutohu Mātāmua / Principal Advisor (primarily focused on enhancing organisational capability)	No change	Change of reporting line to Ringatohu / Director of the Office of the Chief Executive
Kaitohutohu Mātāmua / Principal Advisor (primarily focused on Treaty settlement and iwi engagement)	No change	Change of reporting line to Tumuaiki Momo Mahi / Head of Māori Crown Relations
Hao Kōtui Hononga / Relationship Partner x 5	No change	Continue reporting to Tumuaiki Momo Mahi / Head of Māori Crown Relations (will be moved to Customer Delivery group)
Hao Kōtui Hononga Matua / Senior Relationship Partner x 2	No change	Continue reporting to Tumuaiki Momo Mahi / Head of Māori Crown Relations (will be moved to Customer Delivery group)

Appendix 2 – Current and confirmed new structure

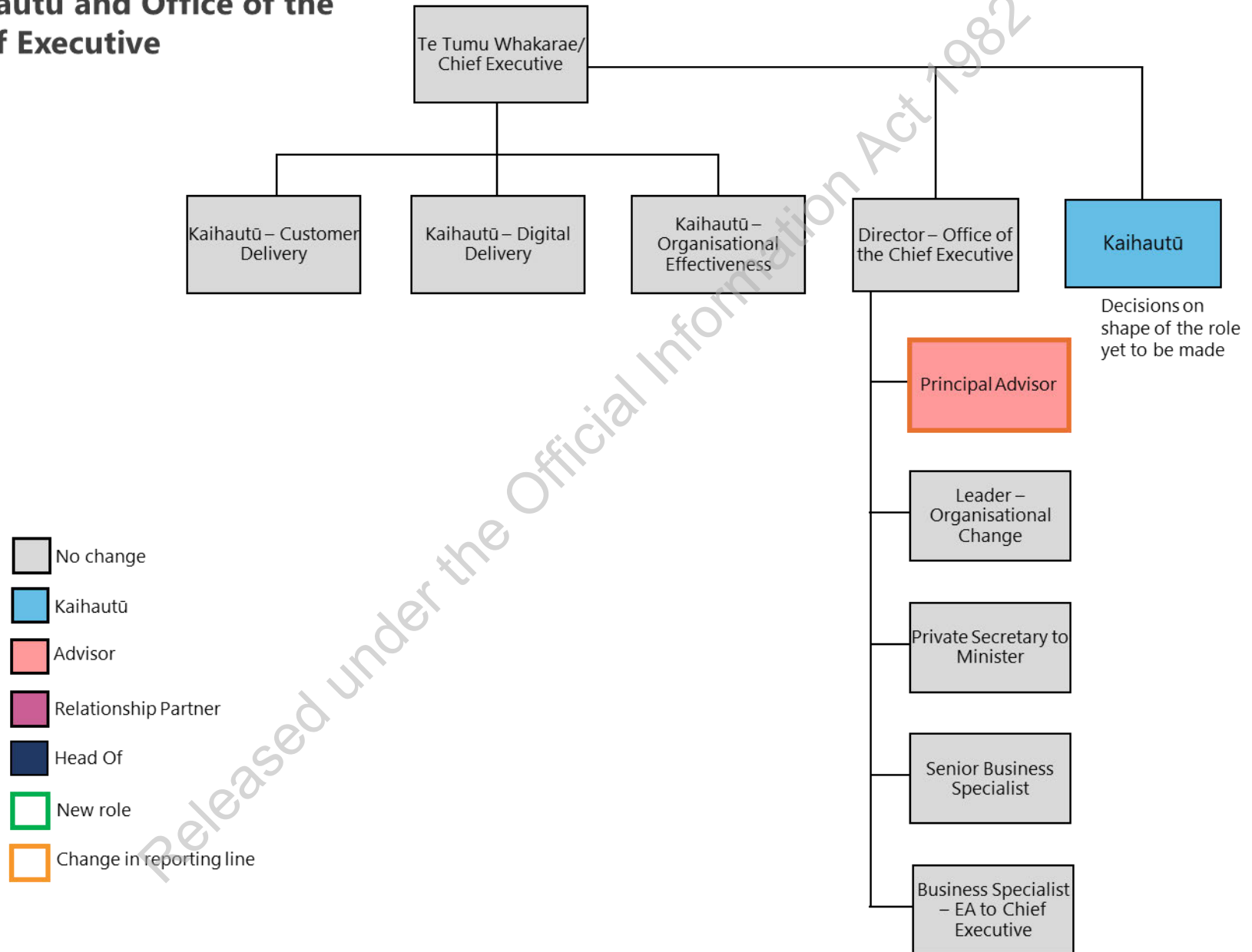
CURRENT STRUCTURE: **Māori Crown Relations**





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CONFIRMED STRUCTURE: Kaihautū and Office of the Chief Executive



Appendix 3 – Confirmed new role

Role	BBR level	Reporting line	Key focus of the role
Kaitohutohu Mātāmua / Principal Advisor – Māori Crown Relations	4	Tumuaki Momo Mahi / Head of Māori Crown Relations	The Principal Advisor will work alongside the existing Principal Advisor, Relationship Partners, and wider Customer Delivery to provide Treaty subject matter expertise, capability uplift and system-level support including support for iwi engagement.

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Appendix 4 – Confirmed change process

The change process set out below has been developed in line with our Collective and Individual Employment Agreements and discussed with representatives from our union, the PSA. **This document should be read alongside the relevant Employment Agreement.** If a provision in your employment agreement is more generous, then the contractual obligation will apply.

We are focused on being fair, unbiased, transparent, and consistent, and are committed to giving you the information and support you need. We will work through these changes with you, treating everyone with respect and dignity.

Coverage

This process applies to all open and fixed-term employees of Toitū Te Whenua, including those on all forms of paid leave, parental leave and secondment to other agencies.

This process does not apply to contractors or employees working at Toitū Te Whenua on a casual basis, or through a consultancy or recruitment agency.

Where any conflict arises between this process and an employment agreement, then the provisions of the employment agreement will prevail.

Support

Organisational change can be unsettling and disruptive, and we have put support in place as part of working with you in good faith and enabling a fair process.

The Employee Assistance Programme (EAP) provides employees with free, confidential counselling services at any time. The contact details for EAP providers are on Whatukura.

Leaders are available throughout the organisational change process to manage any issues that arise and support our people through the transition. If any other additional support is required, people should speak with their manager or Business Partner - People.

Terms relating to change process:

Change to roles:

Minor change: minor change to an existing position may include a change:

- In position title
- In direct reporting line
- In function or business group
- To work practices
- A change of tier but no change to salary band or to the functions of the position.

Significant change: change above the level of minor change

Disestablished position: an existing position that is not required in the confirmed new structure.

Same or similar (comparable): generally similar to the old position however it may have some change to the job functions, a title change, a change in reporting line

Suitable alternative: a position that is in keeping with the skills, qualifications, and experience. May require some retraining (e.g. for new technology or way of working). Is the same location and maintains pay rate (with no intention to reduce later)

Significantly different: the position is new or is different to the job that an employee is currently doing.

Status of employee in change process:

Affected: if an employee's substantive position is proposed to be subject to significant change or disestablished

Impacted: where an employee's substantive position is proposed to be subject to a minor change

Surplus: where an employee's substantive position is no longer required due to a reduction in number of employees; or employees can no longer be employed in their current position, at their current pay band or work location.

Change Process Outcomes:

Following consultation and final decisions, the following sets out the change process that has been confirmed to be used.

Reconfirmation

Reconfirmation places an impacted or affected employee in a position which is the same or similar to their existing substantive position.

To determine if reconfirmation is appropriate, the process starts with a comparison being made between the current work carried out by the employee(s) in their current position, and the work that is required to be carried out in any available position(s).

Where the comparison shows there is only one impacted or affected employee who can be reconfirmed in a position, that reconfirmation will occur without a need for any appointment process.

If the comparison shows there are more impacted or affected employees who can be reconfirmed than the number of same or similar positions available, then we will run an appointment process by way of expression of interest to determine who will be reconfirmed.

Employees will be advised in writing that they have been reconfirmed. Once an employee has been reconfirmed, the process for them ends at this point.

Affected employees who are not reconfirmed would be considered for reassignment in the first instance.

Reassignment

Reassignment is the process of appointing an affected employee to any available position which is not considered the same as or similar to their existing substantive position but is considered a suitable alternative position for them.

In determining the parameters for reassignment, we will engage with employees on an individual basis (and with the PSA for employees covered under the CEA). Reassignment will look to place as many employees as possible by matching individual skills with available positions which require similar skills. This will take into account the employee's skills and abilities; and may involve individuals undertaking some on-the-job training or attending training courses.

The terms and conditions of the reassignment position will be no less favourable, and the location will typically be the same. If the location changes, then reassignment would only be made with the employee's agreement.

Where an affected employee is considered suitable for reassignment, the reassignment will be confirmed in writing. If they do not wish to take up the reassignment, they will not be eligible for redundancy/severance compensation, and if they do not secure another position in the organisation they will be regarded as having resigned.

Once an employee has been reassigned, they are no longer affected, and the process for them ends at this point.

Surplus situation

A surplus situation arises where an affected employee has not been placed into a position by way of reconfirmation or reassignment. At this point the affected employee will be declared surplus.

Should an affected employee be declared surplus, and the employee is covered under the Collective Employment Agreement (CEA), Toitū Te Whenua and the PSA will meet to reach an agreement on the options set out in the CEA which are appropriate to the circumstances of the employee.

Where an affected employee is declared surplus, and the employee is covered under an Individual Employment Agreement (IEA), Toitū Te Whenua will look to redeploy the

employee to another role within the organisation, or take steps to support the employee in securing employment in another agency (including within the Public Service). This is referred to as redeployment.

Redeployment

Redeployment occurs where an alternative role within Toitū Te Whenua is offered to the affected employee which is significantly different to their current position.

The alternative position may require different skills, knowledge, experience, and abilities. The employee will need to be able to demonstrate that they have the required skills, knowledge, experience, and abilities to undertake the position, as well as the potential for retraining on any new or unfamiliar aspects of the position (generally not exceeding three months duration).

The position may have different terms and conditions of employment, including remuneration and location. In this situation, where an employee is offered redeployment, their terms and conditions of employment may be subject to negotiation between themselves and Toitū Te Whenua, and in consultation with the PSA for those covered under the CEA.

The option of redeployment within the Public Service will be discussed with employees on an individual case-by-case basis, and with the PSA for employees covered under the CEA.

The timeframe for identifying and confirming any redeployment opportunity will be four weeks from date of final decisions. Following this date, if no redeployment has been secured then the affected employee will be eligible for redundancy/severance compensation.

Where an affected employee is offered redeployment to a position that is significantly different and chooses to decline the offer, they may remain eligible for redundancy/severance compensation.

Redundancy

For affected employees who are deemed surplus, if no other suitable role is able to be found through redeployment, then employment would be terminated by reason of redundancy.

In the event that an affected employee's employment ends by reason of redundancy, the employee will receive redundancy payment in line with the provisions within their employment agreement, and any other entitlements specific to the employee's circumstances (including grand parented entitlements).

Under section 88 of the Public Service Act, an employee who has received notice of termination by reason of redundancy will not be entitled to a redundancy payment if, before their employment with Toitū Te Whenua has ended, they are offered and accept another position, or are offered an alternate position in the Public Service, provided:

- employment begins before, on, or immediately after their Toitū Te Whenua employment ends;
- is on terms and conditions of the new employment are no less favourable; and
- is on terms that treat service within the State services as if it were continuous service.

Voluntary redundancy

Where a surplus staffing situation is identified, affected employees may be asked to express an interest in voluntary redundancy. Toitū Te Whenua will consider any expressions of interest. Agreement is at the discretion of Toitū Te Whenua.

For the avoidance of doubt, expression of interest in voluntary redundancy will only be made available to affected employees (those whose roles have been confirmed to be disestablished) following consultation and final decisions on any change proposals.

Review process

If an impacted or affected employee disagrees with their reconfirmation or reassignment once they have received a letter notifying them of final decisions, they are entitled to have the process reviewed.

In the first instance the employee is asked to discuss their concerns with their leader. Following this initial discussion, if the employee is not satisfied that their concerns have been adequately resolved then a more formal review may be requested.

The employee must advise the Head of People in writing within ten working days of receiving notification of their reconfirmation/reassignment, setting out their reason(s) for requesting a review.

Each request will be considered individually, by a panel made up of leaders from Toitū Te Whenua and representatives from the PSA if the employee is a PSA member. The review panel will make a recommendation which will be considered by the Chief Executive (or their delegate).