

## *Report back to Te Ātiawa o Te Waka-a-Māui Iwi from the Board of Trustees*

*At the November 27, 2016 AGM, the Trustees notified the members at the hui of the change of Chairperson due to a pending investigation from a formal complaint made by the General Manager against the (then) Chair.*

*Members of the whānau requested the Trust Board update them of the Investigation going forward.*

*The investigation is now at a conclusion and we can say it is with heaviness on all, that we update you on this matter. With this update, we are conscious of and wish to respect the level of confidentiality entitled to individuals involved in this matter.*

### ***The Complaint:***

*On November 9, 2016 a formal complaint of Harassment and Intimidation was laid by the General Manager - Richardt Prosch against the then Chair - Glenice Paine. The complaint gave rise to employment matters under the Employment Relations Act and under the Health and Safety at Work Act.*

*The Trust Board received the complaint and made the decision to have the then Chair step aside, to enable an investigation to be conducted. At the time, Vice Chair Harvey Ruru (and until his formal appointment of the Chairperson) filled the role as interim Chairperson for the Trust.*

### ***The Process:***

*At an Urgent Meeting of the Board of Trustees, Trustees agreed to engage independent legal counsel and contract an independent ER Consultant to investigate and guide the Board of Trustees through the process of the complaint. This decision was made to ensure no individual bias could interfere or influence the investigation outcome.*

*Each decision and step taken by the Board of Trustees was checked against law, Trust policies and the Deed of Trust (Constitution).*

*Interested parties and witnesses were notified of the investigation, interviewed and given the opportunity to sign off on their individual statements before being adopted by the HR Consultants into the report. Both the interested parties were provided the opportunity to meet with the Board of Trustees with legal representation if so desired.*

### ***The Investigation findings/outcomes:***

*The concluded outcome of the Investigation Report by Chapman HR found it 'highly probable that intimidation and bullying did occur'.*

*The Board of Trustees reviewed the Report and after much discussion and consideration, agreed with the findings and adopted this at an Urgent hui on March 30, 2017.*

### ***Remedies and conclusion of the Investigation:***

*A number of Remedies have been worked through between the General Manager and the Board of Trustees which were adopted on April 28, 2017. Staff and witnesses, have received apologies from and on behalf of the Trust Board.*

*Glenice Paine remains as a Trustee on Te Ātiawa o Te Waka-a-Māui Trust (with conditions as set out in the Remedies from the investigation).*

*In summary, the investigation is now at an end; although the Board of Trustees are considering ongoing and separate matters that need to be worked through.*