**Kaihohourongo**

**Mediator/Dispute Resolution Practitioner**

Position Description

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| Team/Unit | Information and Dispute Resolution |
| Reports to | Kaitātaki Hohourongo | Dispute Resolution Manager |
| Location | Auckland |
| Salary Band | **4B** $101,360 - $137,134 |
| Direct Reports | None |
| Approved by | Tatau Uruora | Kāwanatanga Leader |
| Date Approved | December 2022 |

**Ko wai mātou |About Human Rights Commission**

Te Kāhui Tika Tangata (the Commission) is Aotearoa New Zealand’s national human rights institution (NHRI), accredited A status under the Paris Principles that internationally set the standard for NHRIs. The Commission was created in 1977 and is enabled by the [Human Rights Act 1993](http://www.legislation.govt.nz/act/public/1993/0082/latest/DLM304212.html) to protect and promote human rights in Aotearoa. We operate independently of Government as an Independent Crown Entity however we are funded through the Ministry of Justice and are accountable as such for the use of public funds.

It is a privilege to be part of the human rights movement. People are counting on us to ensure their lives are better. But it is also a time when rights are not always easily understood or respected. It is work that comes with obligation and a responsibility to Aotearoa to ensure rights and standards enshrined in domestic and international law are upheld.

As an NHRI that is a Te Tiriti based organisation (TBO), we aim to ensure that all four articles of Te Tiriti o Waitangi (Te Tiriti) are upheld at every level of the organisation and in all our activities. Our expectation is that all individuals and teams have an important role in contributing to this journey and to be nimble, focused and coordinated for collective impact.

## Ō mātou uara I Our values

Our values guide how we behave as an organisation and as individuals to achieve our mission:

* Mana tangata – human dignity
* Māia, tika, pono – courage and integrity
* Whanaungatanga – relationships

## Mō tō mātou rōpū I About the team

The Information and Dispute Resolution rōpū provides a high quality, responsive and appropriate information and dispute resolution service to respond to complaints of unlawful discrimination and broader human rights matters brought to the Commission. The rōpū includes two teams that work closely together – Dispute Resolution and Human Rights Information and Support Services.

The **Dispute Resolution** team consists of mediators who provide a dispute resolution service to those who are experiencing, or have experienced, unlawful discrimination under the Human Rights Act.

The **Human Rights Information and Support Services** team exists to provide service to all people who contact the Commission, including some early intervention activities in discrimination matters, and meaningful information and support to individuals and communities that are experiencing discrimination and harmful speech in Aotearoa New Zealand. The team is the first point of contact with the Commission, triaging approaches, making sure that our services are reaching the people who need them.

**Tēnei tūranga I About the role and purpose**

Kaihohourongo | Mediator/Dispute Resolution Practitioners and the activities they undertake are part of the Commission’s TBO journey. They provide a dispute resolution service for enquiries and complaints of alleged unlawful discrimination, and some other human rights matters brought to the Human Rights Commission.

A Kaihohourongo | Mediator/Dispute Resolution Practitioner manages their case load of enquiries and complaints through receipt, analysis, classification, resolution, and closure in line with dispute resolution best practice and Commission processes.

The Commission uses an informal resolution approach where appropriate, and some experience in Early Resolution or Fast Track Resolution is preferred**.** A key element of informal resolution is getting on the phone early, providing relevant information and exploring options beyond a formal complaint notification process.

## Mahi ngātahi I Working relationships

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| **Internal** | **Nature of the relationship** |
| Manager | * Seeks direction and guidance on the delivery of the work programme, key milestones, risks and mitigations * Seeks guidance on process, individual development and management support |
| Other team members | * Collaborates with and works on deliverables and/or projects * Shares information * Engages and connects with others, listens and communicates tactfully |
| Internal stakeholders | * Shared Leaders * Commissioners * Urungi Leadership Team * Kaimahi across the Commission |
| **External relationships** | **Relationships** |
| External stakeholders | * Enquirers/callers, senders, visitors, complainants, and respondents (parties to complaints) * Other professional dispute resolution practitioners |

## Ngā Haepapa I Accountabilities

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| Priorities | * Analyses, categorises and manages a caseload of unlawful discrimination complaints and other human rights matters made to the Commission * Responds and resolves disputes in accordance with the legislative requirements and Commission best practice guidance * Assess the jurisdiction of complaints and how we can offer our services * Supports practice development alongside other mediators * Assists with peer reviews of work, onboarding and coaching newer mediators, as needed * Maintains accurate and timely records of complaint and other work to assist the development of the dispute resolution function and the Commission’s reporting requirements and strategic goals * Supports other parts of the Commission to address broader human rights issues * Participates in the Dispute Resolution team’s specific projects and programmes, and outreach educational work on the Commission’s dispute resolution function * Undertakes own work tasks as set out in the annual work plan or assigned by the Dispute Resolution Manager or Head of Information and Dispute Resolution * Understands Commission health and safety policies and relevant procedures and applies them to their own work activities |
| Te Tiriti o Waitangi and Equity | * Supports the Commission’s transformational journey towards being a Tiriti-based national human rights institution, working with colleagues to promote and deliver on the human rights dimensions of Te Tiriti while striving to uphold all four of its articles * Applies knowledge of Te Tiriti and its application in our organisation to all work practices * Attends appropriate Te Tiriti education |
| Other duties | * Undertakes any additional duties as reasonably required by the Kaitātaki Hohourongo | Dispute Resolution Manager |

## Ngā āheinga I Capabilities

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| Qualifications and training | * A relevant University degree, professional qualification, or equivalent dispute resolution experience * An appropriate, recognised mediation qualification, and preferably some experience in early resolution, is preferred |
| Risk Assessment | * Ministry of Justice and Public Service Commission (Serious Misconduct) standard checks |
| Experience and skills | **Essential**   * Knowledge of the functions of various government and non-governmental agencies for referral purposes * Effective use of spoken and written communication skills to establish and maintain trust, elicit relevant information, articulate it appropriately, convey messages clearly, record information accurately, and bring parties together to find solutions, while maintaining impartiality, confidentiality and quality of service * Competence in analysis and judgement demonstrated by ability to break down complex information to identify key aspects, causal factors, and links between different sources of information * Competence in the Microsoft Office suite * Project management * Evaluation methodology * Interpersonal and relationship-building skills * Knowledge and skills to work with diverse communities * Presentation and large group facilitation skills * Ability to apply case management principles to allocated workload and correctly manage a dedicated database of complaints (for example, in Microsoft Dynamics 365) to manage their caseload   **Analysis**   * Thinks analytically, conceptually and laterally * Makes links between diverse pieces of information * Can recognise the detail and the big picture of issues or pieces of work   **Communication and influence**   * Employs clear and effective two-way communication, spoken and written, with a wide range of people and in all situations, in order to listen to, persuade, and influence others   **Building and sustaining relationships**   * Establishes and maintains positive relationships with colleagues and stakeholders internally and externally   **Adaptability and innovation**   * Demonstrates an innovative approach to problem solving and decision making with a capacity to develop and deliver effective solutions * Recognises the need to be nimble and iterative to achieve progress in a changing environment |
| Personal commitment and integrity | **Commitment to Te Tiriti o Waitangi and human rights**   * Demonstrated commitment of / or experience working in a Tiriti context and understanding of Te Tiriti relevance to the work of the Commission   **Conduct**   * Understands the role and nature of a national human rights institution and the conduct required of its members * Displays the highest standards of personal and professional behaviour * Models behaviours consistent with the Commission’s values and holds others accountable for those behaviours * Displays a high degree of consistency in personal behaviour with a reputation for absolute trustworthiness * Proven record of confidentiality, discretion and judgment * Demonstrates commitment to continual personal development   **Wellbeing, Health and Safety**   * Advocates, supports and ensures compliance with the requirements of the Health and Safety at Work Act 2015 |

**As a Public Servant**

Mahi tōpū ai ngā Kaimahi Tūmatanui e whai tikanga ai te noho a ngā tāngata o Aotearoa. Hei tā te Public Service Act ko te pūtake o ngā Kaimahi Kāwanatanga, ko te tautoko i te kāwanatanga whai ture me te kāwanatanga manapori; ko te āwhina i te Kāwanatanga o te wā nei me ō anamata ki te whakawhanake, ki te whakatinana hoki i ā rātou kaupapa here; ko te tuku i ngā ratonga tūmatanui e nui ana te kounga, e nahanaha ana anō hoki; ko te tautoko i te Kāwanatanga e tūroa ai te whai oranga o te marea; ko te huawaere i te whai wāhitanga o te kirirarau ki te ao tūmatanui me te whakatutuki i ngā mahi i runga i tā te ture i whakahau ai. E hiranga ana te wāhi ki a mātou ki te tautoko i te Karauna i ana hononga ki ngā iwi Māori i raro i te Tiriti o Waitangi. Ahakoa he nui ngā momo tūranga mahi, e tapatahi ana ngā kaimahi tūmatanui i roto i te whakaaro nui ki te hāpai i ngā hapori, ka mutu, e arahina ana ā mātou mahi e ngā mātāpono matua me ngā uara o ngā Kaimahi Tūmatanui.

The public service works collectively to make a meaningful difference for New Zealanders.  The Public Service Act states that the purpose of the public service is to support constitutional and democratic government, enable both the current Government and successive governments to develop and implement their policies, deliver high-quality and efficient public services, support the Government to pursue the long-term public interest, facilitate active citizenship and act in accordance with the law.  We have an important role in supporting the Crown in its relationships with Māori under the Treaty of Waitangi and Te Tiriti o Waitangi.  Whilst there are many diverse roles, all public servants are unified by a spirit of service to the community, and guided by the core principles and values of the public service in our work.