## POSITION PROFILE

**RACE RELATIONS COMMISSIONER – TE TOIHAU WHAKAWHANAUNGA Ā-IWI**

Title: **Race Relations Commissioner – te Toihau Whakawhanaunga ā-Iwi**

Reports to: **Chief Commissioner**

Appointed by: **Governor-General on the advice of the Minister of Justice**

Time Commitment: **Full-Time**

Term: **Up to 5 years**

Salary: **As determined by Remuneration Authority**

Location: **The Human Rights Commission has offices in Auckland and Wellington. The Race Relations Commissioner may be based in another centre but would need to travel regularly to** **the Commission’s** **offices.**

This position description is based on legislative provisions contained in the Human Rights Act 1993 (the Act).

## Human Rights Commission

The Human Rights Commission is an independent Crown entity given a wide range of functions and powers under the Human Rights Act 1993

## Membership of Commission

Section 8 of the Act provides:

(1) The Commission consists of the following Human Rights Commissioners:

(a) the Chief Commissioner; and

(b) not less than 3 and not more than 4 other Commissioners.

(1A) There must be a Commissioner, other than the Chief Commissioner, appointed to lead the work of the Commission in each of the following priority areas:

(a) disability rights (the Disability Rights Commissioner):

(b) equal employment opportunities (including pay equity) (the Equal Employment Opportunities Commissioner):

(c) race relations (the Race Relations Commissioner).

(1B) A Commissioner must lead the work of the Commission in any other priority area that is designated by the Chief Commissioner, and the Chief Commissioner may designate an area of work as a priority area only in accordance with the strategic direction and the general nature of activities determined by the Commission under [section 7(1)](http://www.legislation.govt.nz/act/public/1993/0082/latest/link.aspx?id=DLM304284" \l "DLM304284) and after consultation with the Minister and the other Commissioners.

(2) The Commissioners are the board for the purposes of the [Crown Entities Act 2004](http://www.legislation.govt.nz/act/public/1993/0082/latest/link.aspx?id=DLM329630).

(3) The Chief Commissioner holds office as chairperson of the board for the purposes of the [Crown Entities Act 2004.](http://www.legislation.govt.nz/act/public/1993/0082/latest/link.aspx?id=DLM329630)

**Functions of the Human Rights Commission**

The Commission's main functions are to:

* Advocate and promote respect for, and an understanding and appreciation of, human rights in New Zealand society
* Encourage the maintenance and development of harmonious relations between individuals and among the diverse groups in New Zealand society
* Lead, evaluate, monitor and advise on equal employment opportunities
* Provide information to members of the public who have questions about unlawful discrimination and facilitate resolution of disputes relating to unlawful discrimination on the grounds of sex, marital status, religious belief, ethical belief (lack of a religious belief), colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status, sexual orientation or sexual harassment or racial harassment in the areas of employment, education, access to public places, the provision of goods and services, housing and accommodation, partnerships, qualifying bodies, organisations of employees and employers, vocational training and trade and professional associations, government or public sector activities.

Applicants should refer to section 5 of the Act for the full range of the Commission’s functions.

**Role of Commissioners**

Section 7(1) of the Act provides that the members of the Commission acting together determine the strategic direction and the general nature of activities undertaken in the performance of the Commission’s functions.

**Criteria for appointment**

Section 11(1) of the Act provides that in recommending persons for appointment as Commissioners or alternate Commissioners, the Minister must have regard to the need for Commissioners and alternate Commissioners appointed to have among them.

(a) knowledge of, or experience in:

 (i) different aspects of matters likely to come before the Commission

1. New Zealand law, or the law of another country, or international law, on human rights

(iii) the Treaty of Waitangi and rights of indigenous peoples

 (iv) current economic, employment, or social issues

(v) cultural issues and the needs and aspirations (including life experiences) of different communities of interest and population groups in New Zealand society.

1. skills in, or experience in:

(i) advocacy or public education

(ii) business, commerce, economics, industry, or financial or personnel management

(iii) community affairs

1. public administration, or the law relating to public administration.

**Additional criteria relevant to the Race Relations Commissioner**

Section 13 of the Act provides that **i**n recommending a person for appointment as a Commissioner appointed to lead the work of the Commission in a priority area under [section 8(1A)](http://www.legislation.govt.nz/act/public/1993/0082/latest/link.aspx?id=DLM304289" \l "DLM304289), the Minister must have regard not only to the criteria stated in [section 11](http://www.legislation.govt.nz/act/public/1993/0082/latest/link.aspx?id=DLM304402" \l "DLM304402) but also to the person’s—

(a) understanding of the principles and practice of the priority area in question, including its origin and development in New Zealand:

(b) appreciation of issues, trends, and developments, in other countries and internationally, affecting the priority area in question, and the relevance of those issues, trends, or developments for New Zealand:

(c) ability to perform the functions stated in [section 16](http://www.legislation.govt.nz/act/public/1993/0082/latest/link.aspx?id=DLM304415" \l "DLM304415).

**Functions of the Race Relations Commissioner**

Section 16 of the Act provides a Commissioner who is appointed or designated to lead the work of the Commission in a priority area under [section 8(1A) or (1B)](http://www.legislation.govt.nz/act/public/1993/0082/latest/link.aspx?id=DLM304289#DLM304289) has the following additional functions:

(a) to lead discussions of the Commission in relation to that priority area of work:

(b) to provide advice and leadership on matters in that priority area of work that arise in the course of activities undertaken in the performance of the Commission’s functions, both when engaging in those activities and when consulted:

(c) to contribute to the public debate on matters in that priority area of work:

(d) any other functions or duties conferred or imposed upon him or her by or under this Act or any other enactment.

(e) any other functions, powers, or duties conferred or imposed on him or her by or under this Act or any other enactment.

**RACE RELATIONS COMMISSIONER – TE TOIHAU WHAKAWHANAUNGA Ā-IWI**

**KEY COMPETENCIES**

* **Relevant professional qualifications or experience**
* **Appreciation of human rights and race relations issues**
* **Governance skills**
* **Relationship managements**

The successful applicants will have/be able to demonstrate:

## Relevant professional qualifications or experience

* A tertiary qualification in a relevant discipline or comparable career experience.
* Career experience at a senior level reflecting good judgement, integrity and impartiality.
* Analytical skill and demonstrable clarity of thought.
* Ability to write clearly and concisely.
* Experience in advocacy or public education.
* Experience in governance.
* Experience in working with diverse groups and familiarity with dispute resolution processes.

**Appreciation of human rights issues**

* Understanding of the Human Rights Act 1993, the New Zealand Bill of Rights Act 1990 and New Zealand’s obligations under various United Nations conventions.
* Understanding of the Treaty of Waitangi and its contemporary application.
* Appreciation of issues, trends and developments in human rights and race relations arising in other countries or internationally, and of the relevance of those issues or trends in New Zealand.
* Familiarity with issues relating to indigenous, minority and disadvantaged groups.
* Understanding of the issues arising from the bicultural and multicultural nature of New Zealand society, including the need for different strategies and networks to communicate successfully with Māori, Pākehā and the various minority ethnic communities.
* Familiarity with issues facing employers and employees in a diverse workforce.
* Appreciation of the key goals of Government and their relevance to significant social issues.

**Governance Skills**

* The ability to provide vision and strategic leadership, to set clear policies and priorities, and to motivate staff.
* An understanding of good management practices and the ability to apply these effectively to achieve organisational goals and objectives.
* An appreciation of public sector management as set out in the Public Finance Act 1989.

**Relationship management ability**

* The ability to establish and maintain constructive relationships at all levels across a wide range both externally and internally.
* The ability to work collaboratively as part of a governance team, taking into account the interests of the whole organisation rather than the portfolio interest.
* Respect for the separate role of the Chief executive in managing staff members as their employer.
* A proven commitment to modelling a positive culture and acceptable behaviours.
* Having, and following effective and well-understood accountability processes.
* The ability to work collegially with the Chief Commissioner and other Commissioners.
* The ability to stimulate interest in, promote understanding of, and encourage action on race relations issues.
* Professionalism and fairness in dealing with others.
* The ability to interact effectively with the media to promote harmonious race relations.
* Superior public speaking and presentation skills.
* An understanding of the aspirations of a diverse range of people and organisations, including Māori, ethnic communities, central and local government, businesses, non-Government organisations, media representatives, Members of Parliament, diplomats, service organisations, advocacy groups, educational and academic institutions, religious organisations and other sectoral interest groups.