FSC
www.fsc.org
FSC® C201748

The mark of responsible forestry

DISPUTE RESOLUTION POLICY

Purpose

This Policy sets out the Parengarenga Incorporation's (the Incorporation) policy in respect of dispute resolution.

Commencement of Policy

This Policy will commence from 11 December 2023. It replaces all other policies dealing with dispute resolution that were in existence prior to the commencement of this policy.

Application of Policy

This Policy applies to all employees of the Incorporation and members of the Committee of Management COM)

Kaupapa

The kaupapa / principle upon which this policy is based:

To provide a fair and prompt process for the resolution of any disputes/complaints, conflicts or disagreements that may arise from time to time with shareholders, customers, contractors, the community or external stakeholders.

Tikanga

This policy is aligned with our values of:

- **Whakapono Me Te Tika** – integrity, honesty, trust;
- **Manaakitanga –** Respect, Generosity, Reciprocity, Kindness, Aroho Ki Tetahi
- **Rangatiratanga** – leadership, teamwork, growth; and
- **Kaitiakitanga –** Stewardship, Guardianship**.**

Definition

Dispute: is an expression of dissatisfaction by any person or organization presented as a complaint to the Incorporation, relating to its management activities. 'Dispute' also includes an expression of dissatisfaction by any person or organization in respect of the Incorporation's conformity with the Forestry Stewardship Council Principles and Criteria for which a response is required.

Customary Rights are rights which result from a long series of habitual or customary actions, constantly repeated, which have, by such repetition and by uninterrupted acquiescence, acquired the force of a law within a geographical or sociological unit.

***Substantial Magnitude (disputes of*)**: is a dispute that involves one or more of the following:

- Affects the legal or customary rights of Indigenous Peoples and local communities;
- Where the negative impact of management activities is of such a scale that it cannot be reversed or mitigated;
- Physical violence;
- Destruction of property;
- Acts of intimidation against Forest *workers* and

- stakeholders.

Vexatious: means instituted without sufficient grounds and serving only to cause annoyance to the Incorporation.

Principles on Which this Policy is Based

The Incorporation's approach to resolving disputes/complaints is based on the following principles:

1. The Incorporation's values outlined above;
2. The principles of tikanga Māori apply – disputes/complainants are resolved in a respectful and culturally appropriate manner;
3. Where a dispute relates to a 'customary right' the General Manager has the authority to modify this policy to the extent necessary to ensure that the dispute is managed in a culturally appropriate manner;
4. The General Manager is responsible for dealing with and/or managing the dispute/complainant resolution process in accordance with this Policy.
5. Every reasonable effort is made to resolve a dispute/complaint by way of negotiation;
6. There is to be no undue delay in resolving a dispute/complaint. Disputes/complainants are resolved in a timely manner; and
7. Operations cease in areas while disputes exist that are:
    a. Of substantial magnitude;
    b. Of substantial duration; or
    c. Involves a significant number of interests.

Application of this Policy

1. To identify a dispute/complaint the General Manager will ask the complainant "would you like us to formally treat this matter as a disputer or complaint". If the answer is "yes" then proceed to step 2.
2. Disputes/complaints need to be in written form and directed to the General Manager.
3. The General Manager will discuss the dispute/complaint with the responsible member of COM to determine whether or not the dispute has merit or is vexatious.
4. If it is decided that the dispute/complaint is vexatious the General Manager will advise the complainant accordingly in writing and that no further action is to be taken by the Incorporation.
5. If it is decided that the dispute/complaint has merit, the General Manager will contact the complainant in an endeavor to resolve the dispute/complaint by way of negotiation.
6. In accordance with this Policy, the General Manager will decide if operations linked to the dispute should stop while the dispute/complaint is resolved.
7. Where the General Manager is not able to resolve the dispute/complaint by way of negotiation the General Manager will liaise with the complainant to organise for an unbiased third-party facilitator/mediator to assist in resolving the dispute.

8. If mediation is not successful then the General Manager may refer the dispute/complaint to be resolved by way of arbitration.
9. At any time, the General Manager may obtain and consider any external advice / report in an attempt to resolve the dispute/complaint. determine next steps.
10. Should the complainant proceed to court with their dispute/complaint, the General Manager may instruct a lawyer to act on the Incorporation's behalf.
11. The General Manager will record details on the Dispute/Complaint Register (attached) along with copies of all correspondence.
12. Following the resolution of any dispute/complaint, the General Manager will discuss the matter with relevant managers (and others where this is appropriate) to identify any internal processes etc. that need to be changed to avoid any future similar disputes.

Evidence Required to Verify that Proper Process has been followed:

- Dispute/Complaints Register (copy attached)
- File note of conversations with the complainant
- File record of all emails and correspondence with the complainant
- File record of any external advice provided
- File note of resolution
- File note of internal review outcomes

Breaches of this Policy

Failure to comply with this policy may result in disciplinary action being taken which, in serious cases, may include the termination of employment.

Variation to this Policy

The Incorporation reserves the right to vary, replace or terminate this Policy from time to time.

Other Relevant Policies and Procedures

- Code of Conduct

FSC
www.fsc.org
FSC® C201748

The mark of
responsible forestry

DISPUTES / COMPLAINTS REGISTER

No.	Date written complaint is received by the GM	Details (who, what, when, where, why, what the complainant is asking for)	Investigation details, progress, outcome(s), changes in procedures, compliance issues, training, who resolved the dispute, complainant's reaction, resolved in our favour or complainant's favour or mutual agreement	No. of days to resolve