Report to Clients and Stakeholders on Recent RNZFB Board Review of Mandatory Policies

July 2025

# Background

The Constitution of the Royal New Zealand Foundation of the Blind obliges the Board to have policies in place on specific matters as listed in the Constitution. We call these mandatory policies, and we are obliged to consult members whenever significant changes are made to any of these policies.

Last year, we reviewed ten mandatory policies. These were then circulated to clients and stakeholders for comment. The first batch of three policies were circulated on 29 October. The remaining policies were circulated in batches on 11 November, 16 December, and 3 February. The feedback received was passed to the Board's Governance Committee for consideration. We sincerely thank everyone who sent comments to us to think about.

When we consult with clients and stakeholders, we are obliged to tell you what we decided, including something about the comments we received and how we took those into account as we made our decisions.

We completed this review at our meeting on 5 July, and this is our report to you on the outcome of this work. For each policy, we show the comments received without identifying individuals, and provide a rationale for any changes we made or didn't make. We also include the final draft of each policy now adopted by the Board. Don't forget if you want to read our policies in your preferred accessible format, please ring the Contact Centre or contact the Board Secretary.

# Policy 3.1, Children

The Constitution requires the Board to put in place a policy on Children: “to identify and provide for their special needs and promote and protect their interests and welfare”. This updated policy now includes privacy and confidentiality provisions (added from the BLVNZ Child Protection Guidelines).

At the close of the feedback period on 13 January 2025, responses had been received from 6 people including two Consumer Organisations.

## General Feedback

1. I think it would be relevant to include something about children accessing high-quality inclusive education including in kaupapa Māori settings, the importance of skilled RTVs and a sufficient supply, the need for all children who could benefit from reading Braille now or in future (if they are likely to lose their sight) to have Braille instruction as children, and the importance of access to appropriate assistive tech including training on using it, and accessible formats of educational materials. Also referring to the UNCRPD not just UNCRC.

2. I wanted to point out that the new name of the Children’s Act 2014 (formerly the Vulnerable Children Act 2014) is something that hasn’t yet been fully embedded in the health and disability system. As someone who teaches healthcare professionals, I’ve noticed that many people aren’t aware of this name change and it has caused confusion for many staff in health and disability roles as well as students. While, I agree with the change as it reflects a broader shift towards inclusivity and a strengths-based approach in child protection it brings I wonder if including both the old and new name would assist in the interim

In educational settings, referencing both terms has been particularly helpful and might also be useful here.

Adult Protection and Mandatory Reporting

Additionally, I wonder if the constitution includes provisions for adult safety and disclosure that mirror those for children I know they are referred to generally in the changes but are they also in the adult section. For instance, while the Health Practitioners Competence Assurance Act 2003 mandates reporting when someone poses a risk of harm to themselves or others, many staff at organisations like Blind Low Vision New Zealand are not registered healthcare professionals and thus may not be covered under HPCAA. This presents a significant gap for those working with vulnerable adults but outside the scope of HPCAA’s regulations. I’m unsure if this is Kevin operationally or in the constitution-it would be useful to have a full copy of the constitution emailed as well.

To address this, other boards I work with have incorporated Section 151 of the Crimes Act 1961, which mandates a duty to provide necessities and protect from injury for those responsible for vulnerable adults. Additionally, the Privacy Act 2020 provides guidelines for when it’s appropriate for health and social service providers to disclose information if there’s a serious threat to someone’s safety. Including references like these in the constitution could help clarify obligations for those working with adults at risk. I note that you do reference the privacy act in the changes.

Access to the Full Constitution

If it’s possible, it would be helpful to receive a full copy of the constitution, rather than just the updates. That way, I could review these elements even more thoroughly before responding.

Extra Constitution Idea - Registration of Clients

One additional area worth discussing as a potential change in the constitution is the requirements around healthcare professional registration within the constitution. In my experience as a healthcare provisional and client, some GPs and ophthalmologists feel uncertain about registering clients with Blind Low Vision New Zealand, particularly in cases involving developmental delays, stroke, or neurological blindness. Perhaps the board could consider revising the constitution to specify “an appropriate New Zealand registered healthcare professional” for such referrals. This would allow a more flexible, operationally managed list of professionals deemed suitable for different cases.

Just a few thoughts to consider—let me know if you’d like to discuss any of preferably by email as I have no voice and cough!

3. Does the board have a policy for best practice for working with Children to protect both the child & the adult working with them?

Eg Open door if on your own with a child; making sure a support person or parent is with the child especially if there is more than one adult in a meeting with the child; background police checks on all adults that work with children; etc.

4. The policy seems reasonable to me, but again I don’t feel qualified to give a detailed response.

5. The last bullet point under the Policy heading should end with “and the role of their parents and legal caregivers.” (Explanation for this: not all children are in the custody of parents and can be raised by grandparents/family members, etc.)

6. As no person, in particular a child lives in isolation, and the network involved in supporting a child involves not only organisations but the family and friends and extended family in some cultures. I would want to see “…. And their whānau “or similar wording to take into account this aspect in this policy.

## Feedback From Parents of Vision Impaired

Policy objectives

These do not clearly define age of a child or allow for a nominated legal representative to act on their behalf.

We recommend something like:

“…interests of all children under the age of 18 who are clients/members of the RNZFB and their respective representative(s).”

Policy

The Policy erases Indigenous children, who are in need of special protection according the United Nations.

Suggest including specific reference to UNDRIP and/or the following documents:

(1) Study on the situation of indigenous persons with disabilities, with a particular focus on challenges faced with regard to the full enjoyment of human rights and inclusion in development By the United Nations Economic and Social Council (2013) :

This report noted the discrimination faced by Indigenous peoples in the enjoyment of rights, such as political participation, access to justice, education, language and culture, and issues specific to indigenous women and children with disabilities.

(2) United Nations General Assembly report on Indigenous persons with disabilities submitted to the Human Rights Council by the Special Rapporteur on the rights of Indigenous Peoples pursuant to his mandate under Human Rights Council resolution 51/16 (2024) .

The relevant findings and conclusions from this report are:

21. Racial discrimination in health-care services can lead to the failure to provide early diagnosis and intervention for Indigenous children with impairments and to adults experiencing disproportionally higher rates of impairments.

47. Indigenous Peoples must be able to decide for themselves the best support and care systems for their children in accordance with their culture and their inherent right to self-determination over their internal affairs, in line with human rights standards, at all times keeping in mind the best interests of the child.

90 (j) Ensure access to inclusive, culturally appropriate and relevant education for Indigenous children with disabilities, including in Indigenous languages;

We therefore strongly recommend that the RNZFB strengthen their policy in this regard; the current milquetoast statement does not include a commitment to upholding the rights of Indigenous children with disabilities.

A line in the policy such as “Emphasis will be placed on the needs and rights of Indigenous children with disabilities, to be upheld in line with their human rights.” must be included.

Privacy and Confidentiality (Added from the BLVNZ Child Protection Guidelines)

The Policy fails to recognise the protective role of family and whānau in preventing abuse of disabled children.

The Policy fails to acknowledge the role of state agencies such as Oranga Tamariki and the NZ Police in perpetuating abuse/failing to keep children safe.

We recommend the inclusion of a statement that affirms the willingness of BLVNZ to work with parents and whānau in protecting children from abuse.

## Feedback From Blind Citizens NZ

Clarification is requested with respect to what is meant by the following content “…when appropriate steps have been taken”? (Refer to the fourth bullet point in this section which states

<begins> There is statutory provision for sharing information needed to protect children and enable other people to carry out their legitimate functions. BLVNZ encourages the sharing of information when appropriate steps have been taken. <ends>

We believe that stating what those steps are would make it abundantly clear to all parties, provide transparency, and assist with setting expectations. Currently, there is no way of knowing what the RNZFB Board or BLVNZ’s thinking is in relation to what is “appropriate”.

Legislation

We can see that every effort is being made to identify relevant legislation. Mindful of the diversity of sensitivities that exist when working with children, we offer the following suggestions for consideration and | or inclusion in this section of the policy…

1. United Nations Declaration on the Rights of Indigenous People: reference in the Policy section rightly recognises that “Emphasis must be placed on the needs and interests of individual children, recognising the importance of their cultural background and the role of their parents.” With respect to recognising needs, interests and cultural background, we suggest that including this international Treaty also recognises protections for the rights of all indigenous people.

Refer UN Declaration on the Rights of Indigenous Peoples | OHCHR

2. United Nations Convention on the Rights of Persons with Disabilities: in the broadest context this international Treaty recognises the rights of all disabled people (including children) to live a fulfilling life free from obstacles and barriers. This includes the right for all services to be developed with good access in mind. Article 7 | Children with Disabilities is more specific to the rights of children.

Refer Convention on the Rights of Persons with Disabilities | OHCHR

3. Crimes Act 1961, Section 195A, Failure to protect child or vulnerable adult: this piece of legislation, while addressing extreme situations, sets out various situations where failure to protect a child (or vulnerable adult) may occur.

Refer Crimes Act 1961

Points for clarification

1. There is legislation that addresses and protects a person who may be an adult in terms of age but who has a much lower age mentally.

Blind Citizens NZ asks how does this policy address situations with respect to the rights of a parent of a child and what the policy should say if an adult is treated like a child either by the parents or the service provider?

2. We believe it is important to clarify the age range and terminology applicable to this policy. We urge recognition of what is intended, to be explicitly stated in the policy.

Our rationale for suggesting this approach is that there appear to be several views. Examples we offer are not definitive and include:

• The RNZFB Constitution refers to children up to age 16.

• Children's rights in New Zealand - Wikipedia | In New Zealand a person is considered a child or "minor" until the age of 20. On reaching 20 years of age the person is no longer a child in the eyes of the law, and has all the rights and obligations of an adult. Refer also to Young people and the law - Consumer NZ.

• The Children’s Act 2014 states the interpretation of ‘child’ | refer Section 5 Interpretation which states “In this part unless the context otherwise requires,- child means any of the following:

(a) a person who is under the age of 18 years:

(b) a person who is under the age of 21 years and has been in care (as defined in this subsection):

(c) a person who is under the age of 25 years and is receiving transition support from the department under Part 7 of the Oranga Tamariki Act 1989

• There is often reference (outside of this policy), to a “child or young person” and there is also the term “youth”. We believe it is pertinent to ask if there is differentiation between a child, youth, or young person in relation to this policy. If so, what are those differences and in particular the age range for each?

## Discussion

A number of people called for more direct references to treaties, conventions and other forms of international law. These are already embedded in BLVNZ’s operations manual. We decided a governance policy must set broad but clear expectations without getting into too much detail, so we made no change in this respect.

We agreed with the suggestions to include a reference to caregivers and whānau in the policy so have made that change.

It was suggested that the policy should define a child as anyone under the age of 18. The Constitution defines a child as anyone under the age of 16, but that is more to do with the age at which someone must act on the child's behalf when it comes to constitutional procedures such as voting. The policy refers to the Children's act which has its own definition of a child. We decided that is sufficient.

We were also asked how to include an adult with a mental age equivalent to a child. We believe modern philosophy in the area of supported decision making requires that someone who is an adult should be treated like an adult even if they do need support to make decisions, so should not be covered by a policy on children.

## Adopted Policy

## Policy 3.1 Children

### Policy Objectives

The Board recognises, promotes and protects the welfare and interests of children who are clients/members of the RNZFB.

### Policy

• Relevant national and international charters, conventions, policies and legislation pertaining to the welfare and protection of infants and children such as the UN Convention on the Rights of the Child (unicef.org), will be upheld when considering and developing RNZFB strategy and planning, policies, practices and initiatives.

• Emphasis must be placed on the needs and interests of individual children, recognising the importance of their cultural background and the role of their parents and/or caregivers and whānau.

### Privacy and Confidentiality (Added From the BLVNZ Child Protection Guidelines)

• There is statutory provision for sharing information needed to protect children and enable other people to carry out their legitimate functions. BLVNZ encourages the sharing of information when appropriate steps have been taken.

• BLVNZ will maintain a good working relationship with Oranga Tamariki the Ministry for Children and with Police and be familiar with the laws that serve to protect children from abuse.

### Audience

RNZFB Directors and the Chief Executive Officer.

### Legislation

• Children's Act 2014 (legislation.govt.nz)

• UN Convention on the Rights of the Child (unicef.org)

• Human Rights Act 1993 (legislation.govt.nz)

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz)

• Privacy Act 2020 (legislation.govt.nz)

• Health Information Privacy Code 2020 (privacy.org.nz)

# Policy 3.2, Tāngata Whenua

The Constitution requires the Board to put in place a policy on Tāngata Whenua, to “recognise, respect and have regard for their unique cultural or spiritual values, needs or interests, including when providing services”.

At the close of the feedback period on 13 January 2025, responses had been received from 9 people, and 1 Consumer Organisation.

## General Feedback

1. I am Pākehā so obviously please prioritise the views of tangata whenua but some thoughts:

Take off the te before tāngata whenua else change to ngā (it's also not always capitalised so maybe check preferences on that)

Whānau is wider than immediate family, more like extended family, Te Aka translation

re Tiriti principles - I think it'd be good to clarify honouring of Te Tiriti itself in the first instance (so the text as is/the articles) before any mention of the principles.

Re 2. It could be good to add in sufficient resourcing for this (staff numbers etc.), it could be implied but it may be good to make it explicit as it has budget implications.

Re 4. on governance training Two lots of training needed I think, governance and staff. And clarifying that this becomes standard part of induction and professional development open to all but compulsory for tangata Tiriti.

2. I am Tau Iwi and as such have no relationship with the Treaty. I would much prefer that you spent more money and time on assisting blind and visually impaired people which is what people donate money for you to do. Read the room, this is \*not\* the time for this kind of politicking. Keep your head down or Luxon will slash the funding more than he already is!

3. I was sent the same email about the triti of waitangi twice, so I thought it must be important. I've read through it (and actually had to read some of it a few times). And here are my thoughts. First though, I am part Māori. I don't think with my emotions, or with mob-mentality though. Which is also why I did not vote for labour.

1) I think everyone should be responsible for their own interests and should not need a specific partnership to promote them.

2) I don't know why Māori and whānau need foundation services. Do other Kiwis have foundation services? This sounds like special treatment.

3) Nobody can be assured of being consulted about everything that may affect them. Why should Māori be?

4) I agree that the triti of waitangi should be better understood by people in government. But which version?

5) I definitely don't think that implementing, monitoring and updating the policy, or consultation are needed. I agree with David Seymore on all of these matters. And yes I voted for the coalition government.

4. Hello, Reading today's email regarding the proposed Constitutional change, I notice it offers no figures to support this proposal. Exactly what percentage of registered NZ BLV clients are currently known to be of Māori descent? Exactly what percentage of BLV funding comes from Māori sources? What evidence is there, to show that Māori are disadvantaged within BLV, in accessing resources, and services. Thank you,

5. my view is this blindness and low vision does not discriminate against who it strikes. Your policy is to wave the treaty around and give special treatment to Māori when all of us have to deal with vision loss. What should be done is a policy for all. I have not seen it written anywhere in legislation any group should get preferential treatment which your policy does.

6. The policy as stated seems reasonable to me, but I don’t feel qualified to give a more detailed response,

7. I have read the various policies you have emailed to clients to the best of my limited ability. Most of this is beyond my level of competence but I feel I should express my objection to Policy 3.2.

I consider the contents to be a political statement, a subject of considerable disagreement and no business of the Foundation.

I believe the function of the Foundation is to provide services to all to the best of its ability., according to need, with no regard for race, spiritual beliefs or other personal characteristics. There is no place in its role for politics.

Unless there is an overriding legal reason it seems to me the clause should be deleted. Thank you

8. Thank you for the opportunity to provide feedback on the proposed cultural policy.

Note. I was on the Board of the Foundation from 2006 to 2009. I believe each individual is equally important, regardless of their ethnicity. In any case, the blind community is far more diverse than just Māori and Pakeha alone. Because of this I am troubled by this discriminating cultural policy. Why create a special class for one ethnicity when the right thing for the Foundation to do is to remain agnostic to race in all things it does. It is illogical and will cause unnecessary resentment, wasteful admin costs (for pointless consultation) and to what end? I am also genuinely surprised as I would have thought that the Foundation would not be in support of anything that promotes separatism and discrimination especially within and amongst its own membership.

Lets hope we don’t go down this path.

I find it concerning that the board believes there is a need to segregate one ethnic group out as a special group in its governance policies. Surely blindness is agnostic to race or culture and as such everyone in New Zealand should be treated equally based on need not race. Equal rights for each individual of the society is a fundamental principal for a fully inclusive and properly functioning democracy. To stray from this fundamental principal of equal rights for all and promote segregation through the creation of special rights for one racial group ahead of everyone else is polarising, misguided and extremely damaging. Therefore, my submission is that the board remove the need to acknowledge any special rights for any specific racial group from all its governance policies entirely.

As blindness is racially agnostic there are no ‘needs or interests that are unique’ to any one racial group that are any more or less important than those that relate to any other special interest group that are represented within membership of the Foundation. Therefore, my submission is: The foundation should be focused on need not race and therefore should not create some sort of special relationship for any specific group in a separatist way as this violates the core principals of equal rights and equal treatment for all.

As the treaty is an inclusive agreement between a diverse number of signatories to move forward as a single group on a united basis, the treaty itself is not and has never been a partnership agreement between separate groups. Therefore, my submission is: The board should not be promoting any special principals or separatist partnership arrangements with any one special interest group over and above of any other. To promote such a set of separatist principles on such a flawed principal and is entirely inappropriate. Therefore point 1 should be simply deleted. My submission draws from 1. Above and that all services designed and delivered to anyone should be based upon need and on an equal basis for all. With this as a guiding principle there is no need to shape ‘the manner in which all services are delivered’ around any specific racial group. Therefore, this specific point should be removed.

While consultation across the organisation is a good thing to ensure that all services are designed and delivered fairly for everyone on an equal opportunity basis, there should be no special weighting given to any specific racial group over any other when it comes to determining the outputs of the Foundation as a whole. Therefore, this point 3. should be deleted.

It is not appropriate to provide specific governance training relating to any specific racial group’s customs, beliefs principles and practices as a special interest group and specifically not in isolation or ahead of any other groups beliefs, principals etc. The Foundation should be totally agnostic in this regard and focus on training that is relevant to providing and delivering services equally for everyone based on the principal of need alone. Therefore, this point 4. requirement should be deleted.

Any such policy updating or formation should not be shaped by any specific racial group above any other and therefore there is no need for this point 5 as a separate and special consideration.

9. I have no issue with the wording of the policy but with the wording in the Constitution. The use of the word "or" twice is divisive and has the potential to set culture against spiritual values . The two are one in Maoritanga. It also appears to set needs against interests which is patronizing and, if the priority is not decided by Māori, smacks of colonialism. All this is easily resolved by changing "or" to "and" twice.

## Feedback From Parents of Vision Impaired

The policy contains several grammatical errors. For example:

• The title is grammatically incorrect. Ko te tāngata whenua, or He Tāngata would be more grammatically correct use of te reo.

• The use of Te Tāngata Whenua o Aotearoa is not a framing that is used by Māori.

• The use of tāngata kāpō Māori is more grammatically correct than Kāpō Māori and avoids the conflation of tāngata kāpō with the organisation, KMA.

Recommendation: consult with a first language and/or fluent te reo Māori speaker to address grammatical correctness in the policy.

Policy objectives.

It is not clear what is meant by “that there is a need to have a special and meaningful relationship”.

Recommendation: Clarify what is meant by this in the policy.

Policy

The articles of Te Tiriti should be referenced in #2, not the principles. The principles are a Crown interpretation, and it is Te Tiriti that is the signed document.

Some of the language is extremely outdated and inappropriate. For example, in #4, tikanga would be a more appropriate word than customs

It is not clear who the Board consulted on to uphold #5 – in the rationale, the RNZFB states “The Board has reviewed this policy and has made no changes.” However, the language and grammar indicate that the Board has not consulted with Māori on this policy as specifically stated in #5. It needs to be much clearer who the RNZFB are consulting with. This is in stark contrast to the consultation methods and processes outlined in Policy 3.6. The very obvious difference creates inconsistency and confusion, and appears as though consultation with tāngata whenua and tāngata kāpō is less valuable or important, giving rise to claims of racial discrimination.

Recommendation: Replace principles with articles in #2.

Recommendation: Working with knowledgeable te reo Māori speakers to refresh this.

Recommendation: improve clarity and transparency regarding who the RNZFB will consult with and how.

Recommendation: align consultation practices with those outlined in Policy 3.6

Legislation and policies

This should include reference to the appropriate Treaty of Waitangi Tribunal Claims, and to the relevant Treaty legislation. This year has seen several relevant hearings, and these should be acknowledged and included in this policy.

For example:

• [https://www.waitangitribunal.govt.nz/en/inquiries/kaupapa-inquiries/health-services-and-outcomes](%20https%3A//www.waitangitribunal.govt.nz/en/inquiries/kaupapa-inquiries/health-services-and-outcomes)

• [https://www.health.govt.nz/system/files/2024-05/wai-2109-kapo-maori-amended-particularised-statement-of-claim.pdf](%20https%3A//www.health.govt.nz/system/files/2024-05/wai-2109-kapo-maori-amended-particularised-statement-of-claim.pdf)

•[https://forms.justice.govt.nz/search/Documents/WT/wt\_DOC\_184129448/Wai%202575,%203.2.0498.pdf](https://forms.justice.govt.nz/search/Documents/WT/wt_DOC_184129448/Wai%202575%2C%203.2.0498.pdf)

The policy should also link in with the substantive recommendations for appropriate policies as result of findings from the Wai 2575 claim and implementation of appropriate policy on the topic – see <https://www.hhrjournal.org/2020/06/18/the-waitangi-tribunals-wai-2575-report-implications-for-decolonizing-health-systems/>

The Policy should also include reference to He Korowai Oranga - Māori Health Strategy - <https://www.health.govt.nz/publications/the-guide-to-he-korowai-oranga-maori-health-strategy>

On a personal note, it is highly embarrassing that such a well respected and large organisation such as Blind Low Vision NZ has a policy that is so clearly out of date. It is even more embarrassing that the Board has admitted to reviewing the policy and sees no need for any changes; this suggests that the Board has failed to recognise the inappropriate use of language and inconsistencies and has not kept up to date with current policies and relevant approaches.

## Discussion

It is clear there is a wide spectrum of views for the Board to consider, from those who feel there is no place at all for such a policy, to those who feel it must be much more comprehensive in scope. We did explain in our consultation document that there is a constitutional requirement for a policy on Tāngata Whenua, so we cannot consider the option of not having one. However even without this requirement, the Board sees the value of such a policy, to ensure BLVNZ services are delivered in a culturally appropriate way to Māori clients. We agree this policy has not been reviewed for some time and it is outdated.

Our governance committee will now engage an external expert to help clarify our thinking and develop a more appropriate governance level policy on tāngata whenua for us to consider.

# Policy 3.3, Other Minority Groups

The Constitution requires the Board to put in place a policy on Other Minority groups: “to take account of any special needs and interests of significant minority groups amongst the Foundation's Clients and to work with kindred organisations to further their interests”.

At the close of the feedback period on 10 March 2025, responses had been received from five people.

## General Feedback

1. as i have already commented on other policies impaired vision does not pick on any one group so therefore policy must be all encompassing with no special treatment; it makes better use for a finite pool of funding. If groups or individuals choose not to take advantage of what's on offer be it on their heads.

2. All looks good to me, great to have "inclusive" An excellent word.

3. Would be keen to see explicit recognition to work together with and meaningfully involve representative organisations for under-represented groups.

4. This is little more than "political doublespeak", or semantics. It really makes no sense at all. I have no idea who is the majority within BLVNZ, nor who is in a minority group. Perhaps I was asked for my ethnicity upon joining BLVNZ years ago. I hold the view, that ALL members should. be treated equally, with service and support provided equally, based upon need, and not fashionable whim. How will you differentiate between majority, and minority ethnic groups? I don't not support this policy change.

5. This title could be called Diversity Groups. Surely in this day and age people do not have to be referred to as Minorities.

## Discussion

The Board agrees that the reference to minority groups is outdated. However it does come from the Constitution which requires the Board to have this policy in place. We had already replaced the term "minority groups" with "underrepresented or diverse groups" in the policy text, but we feel we cannot change the term "minority group" in the policy title as this is the wording used in the Constitution.

We did explain in our consultation document that there is a constitutional requirement for a policy on minority groups, so the Board must have this policy. However even without this requirement, the Board sees the value of such a policy, to ensure BLVNZ services meet the needs of all our clients.

The Board adopted this policy as circulated with no changes.

## Adopted Policy

### Policy 3.3 Minority Groups

Last Review Date: 1 September 2018.

### Policy Objectives

The Board is committed to recognising and valuing the diversity of all Blind Low Vision NZ clients, particularly those who identify as members of underrepresented or diverse groups.

### Policy

To recognise this relationship and acknowledge the diverse needs and interests that are unique to underrepresented groups the Board will ensure that:

• Relevant national and international charters, conventions, policies and legislation pertaining to the diverse needs of underrepresented groups such as international and national provisions will be upheld when considering and developing strategy and planning, policies, practices and initiatives.

• Emphasis must be placed on the needs and interests of individuals, recognising the importance of their cultural background, preferred language and the role of their families/whānau.

### Privacy and Confidentiality

All information submitted by clients of Blind Low Vision NZ is protected under the:

• Privacy Act 2020 (legislation.govt.nz).

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz).

• Health Information Privacy Code 2020 (privacy.org.nz).

### Audience

RNZFB Directors and the Chief Executive Officer.

### Legislation and Policies

• Human Rights Act 1993 (legislation.govt.nz)

• NZSL Act 2006 (legislation.govt.nz).

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz)

• Privacy Act 2020 (legislation.govt.nz)

• Health Information Privacy Code 2020 (privacy.org.nz).

• Minorities and the United Nations (PDF) (ohchr.org).

# Policy 3.4, Volunteers

The Constitution requires the Board to put in place a policy on volunteers: “to recognise the heavy reliance on services contributed by the community and the need to safeguard their networks.”

At the close of the feedback period on 10 February 2025, responses had been received from 8 people, including 2 Consumer Organisations.

## General Feedback

1. As a vision-impaired person, volunteers play a very active role in helping me participate in everyday activities. They dedicate their time "FREE of CHARGE" and consistently help me maintain a near-normal life. Thank you ever so much.

2. In regard to the Volunteer policy update: there appears to be a lot of "waffle" in this policy update, which would be difficult to manage, without any KPI - key performance indicators. From a members point of view, I believe it is important to know who is a volunteer, and who is a BLVNZ staff member. Also, members interacting with volunteers, should also know how to contact that volunteers supervisor, for any reason. I agree in principle with the forthcoming policy update.

3. Policy 3.4 Volunteers read and looks good.

4. Thanks for the opportunity to feedback. I have reviewed the proposed policy changes and I approve of the changes proposed.

5. I am writing to support the proposed changes to the policy on volunteers. The new policy areas and wording seem excellent to me and I approve of these updates and changes.

6. under (or in addition to) the health and safety point, could it be added that there will be ongoing monitoring to ensure the wellbeing of volunteers and a good fit between volunteer activities and clients? Wanting to ensure that the policy accounts for things like the access needs of disabled volunteers, cultural safety etc. :)

7. I fully understand and support the latest structure's that are set for the newly introduced Policies 3.4 - Volunteers, wishing One and All every success in their own endeavour.

8. I have concerns that volunteers are not always shown respect by clients. This is not good for volunteer retention and a culture of mutual respect must be fostered by education of clients and volunteers.

I am a life member of the blind fd,

And also a volunteer at a craft group for the last 8 years.

Generally everyone gets on well but there have been times when clients have used,

Inappropriate and offensive language,

Been unaccepting of different gender variants,

Ordered volunteers around instead of requesting assistance,

Even shouting at others who they disagree with.

Mutual respect is essential and must be understood by clients and volunteers.

Do volunteers have a complaint system?

Train your volunteers but also train your clients in what is not acceptable behaviour. With frequent reminders.

Respect between RNZFB members can also be lacking and needs to be highlighted at the same time.

As I said we usually get on well but it’s very upsetting when things go wrong.

## Feedback From Parents of Vision Impaired

This is an excellent and well written policy. We have no further feedback or suggested changes.

## Feedback From Blind Citizens NZ

In the ‘Policy’ section the RNZFB Board recognises and acknowledges the integral relationship with volunteers which is great. Areas we offer suggestions for amendment and clarification include:

• First bullet point: we suggest an amendment recognising that not all peer support entities are groups and that many are well-established organisations. Suggested amendment to state ‘…and peer support groups and organisations…’ or similar.

• First bullet point: there is reference to the ‘…client being at the centre of all governance’. While the policy is intended for the RNZFB Board and Chief Executive, if a client or volunteer requested the policy, would they know what is meant by ‘governance’. If this means the client is central to decision-making, we ask that consideration be given to amending the statement to make the intent clear.

• Second bullet point: What is the intention of activities being ‘appropriately’ managed? If there are specific actions that need to happen in relation to the management and structure of activities, we believe this needs to be clearly identified. Otherwise there is a risk that the statement is open to interpretation e.g. what the volunteer believes is ‘appropriate’ and someone else believes, may be diametrically opposed. Potentially the word ‘appropriate’ could be removed as nothing is lost in the statement by taking this action. We also seek clarification of any potential overlaps between this bullet point and the fourth bullet point which addresses the need for clear policies and practices etc?

• Last bullet point: In our view, this statement should identify what the due diligence actions are as opposed to ‘ensuring appropriate and regular due diligence…’ happens. Again, being specific ensures that all parties have a clear understanding of what may be involved in this regard. Otherwise we suggest removing the word ‘appropriate’. With respect to Police vetting, when this or any other action that relates directly to volunteers is necessary, we suggest this policy recognises the need for clear and timely communications to be provided. When the volunteer happens to be a BLVNZ client or member, care needs to be taken to ensure the communication is in the person’s preferred blindness format. We offer this comment based on feedback and observations received from volunteers within the blind community in relation to the way Police vetting was notified to volunteers during 2024. While this may not be the ideal place to reference ID, we are also aware the need for ID in relation to Police vetting proved problematic for some people. The KiwiAccess Card for example, should be readily recognised as a form of ID.

Please note that while there is reference in the ‘Legislation and policies’ section to “BLVNZ Volunteer Role Appointment Checks and Re-Checks Policy”, that we have not reviewed that Policy with respect to feedback offered here.

## Discussion

The Board adopted this policy with minor changes to the wording. We agreed with the suggestion to refer to organisations as well as groups. We also agreed that the phrase "central to decision making" is preferred over "central to all governance".

## Adopted Policy

## Policy 3.4 Volunteers

### Policy Objectives

The RNZFB Board recognises and acknowledges the integral role played by volunteers in Blind Low Vision NZ's services and fundraising activities.

### Policy

To recognise this relationship the Board requires that:

• The volunteering arm of the organisation exists to serve the needs of clients, and peer support groups and organisations, and the client will be at the centre of all decision making.

• The activities of our volunteers are managed and structured to honour their investment of time and skills and make best use of this resource for Blind Low Vision NZ clients.

• Community networks are fostered and maintained for the purpose of supporting and growing the pool of volunteers by increasing access to existing and new volunteer groups and supporters.

• Blind Low Vision NZ will develop and implement clear policies and practices that define volunteer roles and expectations. Volunteers will be thoroughly vetted and trained to ensure the smooth delivery of services. Blind Low Vision NZ values and recognises the vital contributions of its volunteers.

• Blind Low Vision NZ fulfils its commitment to the health and safety of our volunteers and the clients they work with by ensuring regular due diligence (including Police vetting) of volunteers is undertaken for volunteers that will work with clients or represent the Blind Low Vision NZ brand.

### Privacy and Confidentiality

All volunteer data and information is protected under the:

• Privacy Act 2020 (legislation.govt.nz).

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz).

### Audience

RNZFB Directors and the Chief Executive Officer.

### Legislation and Policies

• Human Rights Act 1993 (legislation.govt.nz)

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz)

• Privacy Act 2020 (legislation.govt.nz)

• BLVNZ Volunteer Role Appointment Checks and Re-Checks Policy

• Health and Safety at Work Act 2023

• Children's Act 2014 (legislation.govt.nz)

• Land Transport Act 1998 (legislation.govt.nz)

• Crimes Act 1961 (legislation.govt.nz)

# Policy 3.5, Application of Money

The Constitution requires the Board to put in place a policy on Application of Money: “to ensure that money the Foundation raises in the name of the blind is applied for their benefit and is used and accounted for in a proper, prudent and transparent manner”.

At the close of the feedback period on 10 March 2025, 1 comment was received.

## General Feedback

1. I approve this communications policy, thank you for the opportunity to do so.

2 questions:

To what extent is the Board currently meeting its obligations in relations to this policy, I.e. is there a significant gap between practice and prospective policy?

How will application of this policy be measured in terms of service delivery, and financial performance?

## Discussion

The Board adopted this policy as circulated with no changes.

## Adopted Policy

## Policy 3.5 Application of Money

Last Review Date: 1 September 2018.

### Policy Objectives

The RNZFB Board places the utmost importance on ensuring that money raised by the Foundation in the name of people who are blind, deafblind or have low vision is applied for their benefit and is used and accounted for in a proper, prudent and transparent manner.

### Policy

To recognise this the Board requires that:

• The RNZFB will implement all statutory financial requirements and will develop and apply all relevant operational policies and practices that clarify the use of funds and ensure the smooth running of the services provided by them.

• Funds will be used for pursuing the objects of the organisation as defined in the Constitution, guided by the principle of self-determination of blind people as defined in the Constitution.

### Privacy and Confidentiality

All information submitted by clients of Blind Low Vision NZ is protected under the:

• Privacy Act 2020 (legislation.govt.nz).

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz).

### Audience

RNZFB Directors and the Chief Executive Officer.

### Legislation and Policies

• Human Rights Act 1993 (legislation.govt.nz)

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz)

• Privacy Act 2020 (legislation.govt.nz)

• Charities Act 2005 (legislation.govt.nz)

# Policy 3.6, Consultation with Users of Services

The Constitution requires the Board to put in place a policy on consultation with users of services, “to value the lived experience of service users and trust their judgement when planning and delivering services to meet their needs”.

At the close of the feedback period on 10 February 2025, responses had been received from 1 person and two Consumer Organisations.

## General Feedback

1. Here is some feedback regarding Policy 3.8: Consultation with Service Users:

• Yes, I agree that consultation with service users will connect you with their knowledge and experience as users.

• We live is times of fast technological change and development - it is vital to keep updating. Consulting / educating service users about technological developments and changes will help users to be aware of change and to feel part of the world and times.

• Consultation also involves listening and receiving feedback so any weaknesses, complications or confusesions can be conveyed to you.

• Updating information is vital - to enable users to be aware of developments and new equipment.

• Re updating / educating re new equipment etc it is important to make this info accessible in a customer - friendly way. The latest webinars set up by BLV about new equipment etc is excellent and will be widely helpful. It is enabling.

• I am a relatively recent member so am still observing and learning. But for the last two years a BLV Board member has visited the Wellington office in Newtown to meet members - here open consultation has taken place which opened consultation and gave feedback from members of the audience. As a member, the Upper Hutt group were informed about the event and a van was provided for transport. It was good to meet the Board member.

• At the above event, there was also a display of the latest equipment with people to consult and answer questions at the tables.

• When I was connected to the BLV group, I had 2 visits at my home in Upper Hutt which involved some consultation about my house and tech needs. This was invaluable. The second visit addressed my audio needs for the computer and showed me how to use ALEXA through which I can listen to audio books and newspapers etc, Again very enabling. He also informed me about the Noel Leeming service for this tech in case of a problem.

I hope that this information is helpful. Consultation is enabling in many ways including relationship with the Board. It is important to allow us time to respond. It can take at least double the amount of time.

## Feedback From Parents of Vision Impaired

This is a well written policy.

We recommend including specific reference to marginalised groups to ensure their voices are adequately and appropriately incorporated into consultation rounds. This prevents consultations from erasing or subsuming the voices of these groups.

## Feedback From Blind Citizens NZ

Policy 3.6 links as stated, with Policy 3.10, Board Engagement and Communications with Stakeholders’. As mentioned in the ‘rationale’, wording has been altered to emphasise consultation with users will be carried out in accordance with Policy 3.10.

When considering Policy 3.10, this very nicely recognises that “The Board and Management value input and feedback on all aspects of our work from all stakeholders.” We also recognise the third bullet point in Policy 3.6 refers to carrying out consultation with users in accordance with Policy 3.10.

We offer the following comments and perhaps some clarification will be useful…

On the basis of our above observations, and on the understanding the intent of consultation with “users of services” includes “ ..stakeholders, including members and clients, volunteers, staff, donors, consumer organisations, community committees and support groups” (refer Policy 3.10 | end of first paragraph and all of second paragraph), then Blind Citizens NZ is more than comfortable with this approach.

In the event however the leading statement “The RNZFB Board will consult with users of services…” is not inclusive of consumer organisations (and other stakeholders), Blind Citizens NZ seeks clarification of the intended approach.

## Discussion

We agreed with including a reference to marginalised groups to ensure their voices are incorporated into consultation rounds, so we made that change.

The Board does include consumer organisations when consulting on service related matters. We believe this is covered by the specific reference to policy 7.13, Engagement and Communications with Stakeholders.

## Adopted Policy

## Policy 3.6 Consultation with Users of Services

### Policy Objectives

The RNZFB Board values the lived experience of service users and trusts their judgement when planning and delivering services to meet their needs.

### Policy

The RNZFB Board will consult with users of services when:

• Planning, developing, prioritising, revising, evaluating and withdrawing one or more Blind Low Vision NZ services.

• Strategically planning to set the direction of future service provision.

• Consultation with users of services will be carried out in accordance with policy 7.13, Engagement and Communications with Stakeholders.

• A variety of consultation models and methods may be used to obtain service users' ideas, views and opinions about current and future services.

### Privacy and Confidentiality

All client data and information is protected under the:

• Privacy Act 2020 (legislation.govt.nz).

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz).

• Health Information Privacy Code 2020 (privacy.org.nz)

### Audience

RNZFB Directors and the Chief Executive Officer.

### Legislation and Policies

• Human Rights Act 1993 (legislation.govt.nz)

• Health and Disability Commissioner Act

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz)

• Privacy Act 2020 (legislation.govt.nz)

• Health Information Privacy Code 2020 (privacy.org.nz)

# Policy 3.7, Community Participation

The Constitution requires the Board to put in place a policy on Community Participation: “to recognise the importance of community involvement and participation at the local level in the work of the Foundation”.

At the close of the feedback period on 10 February 2025, responses had been received from 1 person and 1 Consumer Organisation.

## General Feedback

1. This is my feedback for Policy Objective 3.7 Community Participation:

1. The Upper Hutt whānau is active in providing organised Community activities for us - re Wayne and Lesley King and Committee.

2. We members are contacted and Wayne is accessible by phone.

3. A van is provided by those who need a ride to a main event.

4. Events this year have been Summer Barbecue and activities outside /

5. Winter Lunch and speaker at Wn. Regional Golf Club at Trentham and a Xmas dinner on Friday 22 Nov at Silverstream Bowling Club.- with entertainment eg singer

6. From these Community outings we learn about facilities that we did not know existed or where. For example the Wn Regional Golf Club where we also learned about its history.

7. These activities ' outings bring the Upper Hutt group together so that we feel supported and can share tips about equipment etc. Some members have a Bowling group in Upper Hutt.

8. Some participate more widely with Wn and / or Hutt Valley members - there is excellent communication about these wider events and activities via email from Jeremy Brown.

9. My Mobility card is a treasure and allows me to travel at discount via bus or train, and even taxi from Wn station to Wn Hospital Eye Clinic for appointments. Thank you for that.

## Feedback From Parents of Vision Impaired

Language use – this is the first policy that refers to “the Foundation”. The RNZFB might like to update this to reflect the change in language to Blind Low Vision NZ that is used in other policies.

Parents and whānau are absent from this policy. As this is a policy regarding community participation, and that many blind persons exist within the wider context of their whānau, we recommend that the language in this policy be updated to reflect this. Family are deserving of mention and respect beyond being folded into the “wider community”. This does come across as being disrespectful of the valuable contributions that family make.

The policy wording is confusing and grammatically incorrect.

Recommend rewording to

The RNZFB Board will ensure that there are opportunities to involve RNZFB members, clients, family members, and the wider community in the activities of Blind Low Vision NZ

The RNZFB Board will ensure the involvement of members and clients in activities in their local communities.

The RNZFB Board will ensure that members, clients, families, and the wider community will be included when considering and developing RNZFB strategy and planning, policies, practices and initiatives.

## Discussion

The Board understands the importance of family members, but this is a BLVNZ governance level policy that must focus on clients. We do not feel there is a need for this governance level policy to specifically reference family members.

We agreed with changing the reference to the Foundation to Blind Low Vision NZ or BLVNZ and have made that change, consistent with other policies.

## Adopted Policy

## Policy 3.7 Community Participation

### Policy Objectives

The RNZFB Board recognises the importance of community involvement and participation at the local level in the work of Blind Low Vision NZ.

### Policy

The RNZFB Board will ensure that:

• Opportunities to involve RNZFB members, clients and the wider community in the activities of Blind Low Vision NZ and to involve members and clients in activities in their local communities will be included when considering and developing strategy and planning, policies, practices and initiatives.

### Privacy and Confidentiality

All client data and information is protected under the:

• Privacy Act 2020 (legislation.govt.nz).

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz).

• Health Information Privacy Code 2020 (privacy.org.nz)

### Audience

RNZFB Directors and the Chief Executive Officer.

### Legislation and Policies

• Human Rights Act 1993 (legislation.govt.nz)

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz)

• Privacy Act 2020 (legislation.govt.nz)

• Health Information Privacy Code 2020 (privacy.org.nz)

# Policy 3.8, Communications, Preferred Formats and Service of Documents

The Constitution requires the Board to put in place a policy on Communications, Preferred Formats and Service of Documents: "to maintain forms of communication that are accessible to all Clients and that enable a two-way flow of information around Foundation affairs, services and activities."

At the close of the feedback period on 10 March 2025, responses had been received from two people.

## General Feedback

1. all ,sounds great, thank you.

2. I have macular degeneration in both eyes. I find that the Blind Vision generally foes not use modern technology very much such as Artificial Intelligence. I have been to some meetings as well trying to read the emails sent out from you. There doesn’t seem to be any teaching as to how one can use the current systems available. e.g, computer voice control etc. “SeeingAI” is a cade in point. There must be other help that I haven’t found with no help from the Blind Vision.

## Discussion

The Chief Executive was asked to follow up with the person who lodged comment 2 with a view to offering adaptive technology training and support.

The Board adopted this policy as circulated with no changes.

## Adopted Policy

## Policy 3.8 Communications, Preferred Formats and Service of Documents

Last Review Date: 1 September 2018.

### Policy Objectives

The RNZFB Board will maintain forms of communication that are accessible to all stakeholders and that enable a two-way flow of information around Foundation affairs, services, and activities.

### Policy

The RNZFB Board requires that:

• For general communications, the Foundation will communicate with stakeholders through the normal channels of communication employed by the Board. These channels include, but are not limited to, general Foundation email lists, the Telephone Information Service, Blind Low Vision NZ website, Blind Low Vision NZ e-news and Consumer Organisations and other external stakeholders.

• The Board may from time to time approve any method of producing, reproducing, adapting or communicating the text of documents in addition to the Listed Preferred Formats contained in the Constitution. These are: standard print, large print, Braille, electronic and audio. The Board may also delegate this power to the Chief Executive.

The following records must be made available in Preferred Formats for inspection by members and clients or by a person authorised in writing by a Member or client:

• the RNZFB Constitution.

• the full names and contact details of the Directors.

• minutes of all Annual General Meetings and special meetings of Members (other than proceedings held in committee).

• copies of the Financial Statements produced over the past three years.

• the register of Directors' Interests.

• the Board's policy framework.

• all regulations made by the Board under the Constitution and currently in force.

• minutes of all meetings of the Board (other than proceedings held in committee).

• the strategic plan.

• the annual plan, (now known as the Community Impact Report).

• the report on the annual plan; and

• a schedule stating first the number of Foundation employees, current or former, who, during the Financial Year received remuneration and any other benefits in their capacity as employees, the value of which was or exceeded $100,000 per annum and, secondly, the number of such employees or former employees in each range of $10,000.

### Privacy and Confidentiality

All client data and information is protected under the:

• Privacy Act 2020 (legislation.govt.nz).

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz).

• Health Information Privacy Code 2020 (privacy.org.nz)

### Audience

RNZFB Directors and the Chief Executive Officer.

### Legislation and Policies

• Human Rights Act 1993 (legislation.govt.nz)

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz)

• Privacy Act 2020 (legislation.govt.nz)

• Health Information Privacy Code 2020 (privacy.org.nz)

# Policy 3.9, Plain English

The Constitution requires the Board to put in place a policy on Plain English: "to ensure that a summary of this Constitution in 'plain English' and a user-friendly format is available to Members on request."

At the close of the feedback period on 24 March 2025, responses had been received from two people.

## General Feedback

1. Why is the guide needing to be requested. Isn't it simpler to publish both on the website maybe under a shortened link or its own spot. It makes sense that the constitution, all languages, english, māori, etc and their guides be published. I am unsure how this works but I have seen on various sites I have used in the past that you can select from a combo box your language of the document in question and then go to it, download it, or download a zip with all files in them in their individual doc, pdf or whatever else formats text, hell even simple web htmls if you want for offline browsing. Is there even a reason to bother about even requesting at all. Wouldn't it be easier to just have all documents published online at the same time. I think that would streamline things anyway. Maybe before the net when things were posted it would be necessary to do this but now it sounds a bit silly. I am myself testing one of the screenreader companies and actually testing streamline installers so I have been in a semi creative mode over that for the last 2 weeks or so.

2. All good from me. I support

## Discussion

The Board adopted this policy as circulated with no changes.

## Adopted Policy

## Policy 3.9 Plain English

Last Review Date: 1 September 2018.

### Policy Objectives

The RNZFB Constitution requires the Board to have available a summary of the Constitution in "plain English" and in a user-friendly format.

### Policy

The Board will, therefore, ensure that a Plain English Guide to the Constitution is available to members on request:

• The Guide is intended for use by:

• Members and potential members of the Foundation.

• Anyone who receives services from the Foundation.

• The purpose of the Guide is to help members understand:

• How the Foundation operates.

• What it means to be a member of the Foundation in terms of the Constitution and the role, rights and responsibilities of members.

• The role and duties of the Board and directors.

• Every effort will be made to ensure that the two documents are not in conflict. If there is any disagreement or difference between what is said in the Guide and the Constitution itself, then the Constitution is the legal and correct source.

### Privacy and Confidentiality

All client data and information is protected under the:

• Privacy Act 2020 (legislation.govt.nz).

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz).

• Health Information Privacy Code 2020 (privacy.org.nz)

### Audience

RNZFB Directors and the Chief Executive Officer.

### Legislation and Policies

• Human Rights Act 1993 (legislation.govt.nz)

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz)

• Privacy Act 2020 (legislation.govt.nz)

• Health Information Privacy Code 2020 (privacy.org.nz)

• Plain English Guide (plainenglish.co.uk).

# Policy 3.11, Conflicts of Interest

The Constitution requires the Board to put in place a policy on conflicts of interest, to “alert Directors to possible areas of conflict that may signify either a direct or indirect material interest in a transaction involving the Foundation”.

At the close of the feedback period on 13 January 2025, responses had been received from 1 individual, and PVI.

## General Feedback

1. kia ora, just trying to get my head around this wording, because for instance for those who are part of a blind youth group or some other delimited group would that be taken as a conflict of interest because it's not available to ll/most member? I know that kaupapa Māori orgs generally don't limit their membership to tangata whenua but I wondered if this may also impact on cultural associations of members?

I think the main point is about managing conflicts on case-by-case basis, rather than whether the group a prospective or current BLVNZ board director is part of happens to be open to all or most BLVNZ members or not?

## Feedback From Parents of Vision Impaired

Regarding number 5, it needs to be much clearer how this is related to membership of consumer organisations, given that consumer group membership is not equitably distributed across the RNZFB Directorship. That is, RNZFB Directors are not members of all the consumer organisations, nor are the consumer organisations equitably represented at the Board level. Clarifying this and having a clear mechanism to ensure equity of consumer group access in this regard should prevent further claims of preference and conflict of interest.

## Discussion

This updated policy is based on legal advice from Bell Gully and takes into account the requirements of the new Incorporated Societies Act. Bell Gully's advice also clarifies the steps the Board must take in future when making decisions that involve possible conflicts.

There was a request to clarify in the policy how this applies to membership of consumer organisations. However the Board believes it is best to deal with conflicts as they arise on a case by case basis, which is essentially what the policy requires. For example, someone wondered whether membership of a youth group might create a conflict for a young director, because age criteria would mean membership of such a group would not be equally available to all clients. However the Board is aware that directors who are also clients are entitled to receive services, including services like guide dogs that have their own criteria and are arguably not equally available to all clients. It is noted that if a director receives a service or benefit from the organisation, this does not create a conflict if the director concerned has the same access to that service or benefit as they would have as a client if they were not a director.

The Board adopted this policy as circulated with no changes.

## Policy 3.11 Conflicts of Interest

### 1. Policy Objectives

The Board places great importance on making clear any existing or potential conflicts of interest for its directors. To this end, a register of directors’ interests will be maintained and will be available at each board meeting for reference and updating. Upon taking office and at any relevant point during their tenure, each Director must declare and record on the register the nature and extent of any interests they or their family currently pursue that may represent a conflict as defined below, and undertake any applicable measures to manage the conflict. The Board must ensure proper records are kept and maintained.

### 2. Definition

A conflict of interest arises where a prospective or existing director has an interest in a matter which conflicts (or might conflict, or might be perceived to conflict) with the interests of the Foundation itself. The key question to ask when considering whether an interest might create a conflict is:

1. Whether a Director’s duties or responsibilities to the Foundation could be affected, or could be perceived to be affected, by some other interest or duty that the Director may have.

2. If the answer is yes, a conflict exists.

3. There are manageable and unmanageable conflicts of interest.

### 3. Types of Conflict of Interest

A conflict may take a number of forms. It may be financial or non-financial. It may be direct or indirect. It may be professional or family related. A conflict of interest may arise from:

• Directorships or other employment

• Interests in business enterprise or professional practices

• Share ownership

• Beneficial interest in trusts

• Existing professional or personal associations with the Foundation (see 5. Exemption below)

• Personal association with other groups or organisations

• Family relationships

Having established that a conflict exists there are a number of ways of dealing with this situation and each occasion should be considered on its unique features.

The mechanisms for dealing with a conflict include:

• Divestment

• Severing connections

• Confidentiality agreements

• Declaration of Interest

• Abstaining from voting

• Withdrawal from discussion

• Non-receipt of relevant information

• Agreement not to act

### 4. Methods of Dealing with a Conflict of Interest

The methods of managing a conflict of interest may be used singly or in combination, depending on the nature and extent of the conflict that is being considered. It is general practice that someone in a position of conflict must not seek to influence the debate, vote or take part in the decision, and the minutes should record such instances. Generally conflicted Directors should not sign any document relating to the entry into a transaction or initiation of the matter (if applicable). Bias and predetermination must similarly be avoided; Directors should be cautious about expressing a fixed view on issues before they are debated. Similarly, Directors should be wary of the lobbying activities of interested parties.

Not all conflicts of interest will be clear-cut in terms of how serious they are and how (or if) they can be managed. In considering these issues, those involved should take into account:

• The nature of the Foundation’s functions

• The values and broad criteria applicable to the situation

• The significance of the issue

• The political sensitivity of the issue

• The nature of the conflict

• The extent of the conflict

• Any relevant legislation

It is sensible to err on the side of caution.

### 5. Exemption

It is not considered to be a conflict of interest when a director receives a service or benefit from the Foundation, provided that such service or benefit is delivered in the same manner or circumstance as it would have been delivered to any other client of the Foundation and the interest is the same or substantially the same as the benefit or interest of all or most other members of the Foundation.

### 6. Privacy and Confidentiality

All client, volunteer, staff, donor, consumer organisation, community committee and support group data and information is protected under the:

• Privacy Act 2020 (legislation.govt.nz)

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz)

• Health Information Privacy Code 2020 (privacy.org.nz)

### 7. Audience

Board Members and the Chief Executive Officer of the RNZFB.

### 8. Legislation and Policies

In addition to this Policy, the following legislation and policies should be considered when identifying and managing conflicts of interest:

• Human Rights Act 1993 (legislation.govt.nz)

• Blind Low Vision NZ - Privacy Policy (blindlowvision.org.nz)

• Privacy Act 2020 (legislation.govt.nz)

• Health Information Privacy Code 2020 (privacy.org.nz)

• Conflicts of Interest Practice Guide - Institute of Directors NZ (iod.org.nz)

• Incorporates Societies Act 2022 (legislation.govt.nz)

• Charities Act 2005 (legislation.govt.nz)