



# RESEARCH SERVICES



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# Research Activities

## Rationale

The Trust works with claimants, claimant counsel and the Waitangi Tribunal or the Office of Treaty Settlements staff to agree on a programme of research for any district or claimant group where the claims involve or could involve Crown forest licensed land. In order for a claim to be successful, claimants need to demonstrate that the Crown has breached the principles of the Treaty of Waitangi by particular actions or omissions of the Crown; and that the claimants have suffered prejudice as a result. Claims may relate to Treaty breaches dating back to 6 February 1840. Claims relating to past actions of the Crown require research reports from professional historians. This technical evidence, produced to a professional standard, is a requirement of both the Waitangi Tribunal and settlement negotiations processes.

Prior to 1995 Trust funding was only provided to research specific forest blocks, rather than a wider claim. With the change in Crown policy, research is no longer confined to researching forest lands. This is because the alienation of forest lands from Maori ownership is part of a much wider process of land alienation, which often resulted, over time, or cumulatively, in rendering Maori landless. If research is confined to single blocks, in isolation, upon which trees now happen to grow, it might be difficult to make out a case of sufficient strength to convince the Waitangi Tribunal or the Office of Treaty Settlements that the Crown has breached the Treaty and that claimants have suffered prejudice as a result. Moreover, both the Waitangi Tribunal and the Office of Treaty Settlements have stated that they will only consider comprehensive claims, covering all grievances within a claimant rohe.

## The Trust's approach to research

The Trust usually commissions two kinds of research:

- 🌀 District Research Programmes.
- 🌀 Claimant-specific Research Projects.

The Trust works with claimants to design a research plan that best reflects their needs. The research plan should be comprehensive – that is, it should cover all issues raised by claimants that require research and, if it is a District Research Programme, then it must be of assistance to all claimant communities in a district.

The flow diagram on page 33 (Figure 5: *District Overview Research Programmes*) sets out the process by which district research programmes are developed and finalised.

## Kinds of research the Trust commissions

Most research will fall under one of five broad categories:

- 🌀 Traditional history and oral history projects.
- 🌀 Land alienation-relationship reports.
- 🌀 Other reports such as environmental and land-based resource issues.
- 🌀 Research assistance projects.
- 🌀 Claimant-specific research.

These are discussed in turn below.

## Traditional history and oral history projects

Traditional knowledge as well as other evidence retained or recorded by Maori is a vital component in the development of the claimant evidential base which is used to advance Treaty of Waitangi claims. High quality traditional evidence provides significant value and depth to the claimant evidential base and the research reports prepared by historians and other technical witnesses.

Claimants themselves usually undertake this research, although the Trust can assist in identifying suitably qualified professionals to work alongside groups if that is desired.








The purpose of these kinds of projects is to inform the Waitangi Tribunal or the Office of Treaty Settlements how a group established interests in a particular area and how these have been maintained to the present day. This might include an outline of the origins of the particular hapu or iwi, their links and history of relationships with other groups, the traditional role of the group, their sites of significance, their use of natural resources, any oral histories or traditions relating to acts or omissions of the Crown. An introductory guide to preparing these kinds of reports is explained in the Traditional and Oral History Research section of this booklet. Available also from the Waitangi Tribunal is a booklet *Preparing claimant evidence for the Waitangi Tribunal* which sets out what claimants need to do to prepare their claims for a Waitangi Tribunal inquiry.

Funding is provided for traditional and oral history research on the same basis as that used for other research projects, that is, on the merits of the proposal and according to the Trust's research funding criteria.

## Land alienation-relationship reports

Most historical claims against the Crown will have a primary (but not necessarily exclusive) focus on the loss of ancestral lands. Often, however, it is impossible to separate issues of land alienation from broader questions concerning tangata whenua relationships with the Crown.

The different categories of land alienation that might be researched within the context of these broader questions include:

-  Old Land Claims (pre-1840).
-  Early Crown purchases (1840-1865).
-  Pre-emption waiver purchases (1844-1846).
-  Raupatu (land confiscation).
-  Post-1865 Native Land Court transactions (Crown and private).
-  Public works takings.
-  Land consolidation and development schemes.

## Other reports

In order for a claim to be successful it is necessary to prove not only that the Crown breached the Treaty of Waitangi, but also that this had harmful consequences for the claimant group concerned. This is part of the purpose of socio-economic impact reports, which explore issues such as health, housing, education, employment and demographic issues and consider the links between land alienation and consequent socio-economic marginalisation.

Other types of reports may also be commissioned depending on the issues raised by the claimant group. For example, in response to resource management and other environmental issues raised in some districts, the Trust has commissioned 'environmental impact' reports. Qualified geographers or environmental experts, rather than historians, usually undertake these. Occasionally archaeological, demographic or other sorts of reports may also be commissioned. The Trust is guided by claimants and the Waitangi Tribunal whether it is important to have these issues covered.

## Research assistance projects

The Trust commissions Research Assistance projects in order to enable preliminary research to start in advance of a full district research programme. Research Assistance projects avoid duplication of effort and the reports are made widely available. Research Assistance projects will:

- 🌀 Focus on key archival historical sources.
- 🌀 Be utilised by claimants and commissioned historians.
- 🌀 Reduce the likelihood of historians missing or omitting historical items of interest.
- 🌀 Reduce duplication of effort among contract historians working on the same research programmes.
- 🌀 Provide valuable information to claimants currently researching their oral and traditional evidence.

The types of Research Assistance projects the Trust commissions include:

- 🌀 Newspaper searches (Maori Language and local newspapers).
- 🌀 Register Searches.
- 🌀 Block Research Narratives and Document Banks.
- 🌀 Te Reo Maori Language Documents.
- 🌀 Native/Maori Schools.

## **Claimant-specific research**

The Trust may commission claimant-specific research where an eligible claimant group demonstrates that a specific research project is required for either the Waitangi Tribunal or Settlement Negotiations process. All proposals for claimant-specific research will be assessed and decisions on funding will be made according to the merits of each proposal.

If the project is solely for a claimant group and the claimant group has the management capability to either undertake or commission and monitor their own research, the Trust may contract with the claimant group in the same way as it does when funding other contracts with claimant groups. The claimant group may in turn contract the research it requires from the independent research providers or undertake the research itself.

Where the need for claimant-specific research has been agreed between the Trust and the group, such groups may prefer the Trust to contract the research on its behalf.

If research is commissioned for an individual claimant group this will only be filed with the Waitangi Tribunal or made available to the Office of Treaty Settlements with the explicit approval of the claimants concerned. Where research has been commissioned at a district-wide level on behalf of many different claimant groups, the Trust only files such reports where there is a broad consensus amongst claimants.

## **Mapping services**

The Trust offers a Geographic Information Systems (GIS) mapping service to assist eligible claimant groups and historians to depict historical events or issues using a series of customised maps. Trust staff will work with eligible claimant groups and historians to identify research information that is required to be captured in a digital format and then used to produce maps.

## **Mapping facilitation**











Eligible claimant groups can use maps to support claimant evidence before the Waitangi Tribunal hearings or in settlement negotiations with the Crown. The Mapping Facilitator works with eligible claimant groups and historians to identify maps that can complement research.

Maps provide geographical and chronological views of a wide range of alienation events, including raupatu areas, Crown and private land purchases, land development schemes and historic land block ownership. Maps can be used to illustrate the role of the claimant group, sites of significance (wahi tapu), and land that remains in Maori ownership.

Maps can be developed in a variety of formats including printed copy, digital formats, specific images for use in Microsoft Powerpoint, and virtual three dimensional maps. Electronic forms of these maps are becoming commonplace in hearings and negotiations.

## Maps for an Inquiry District

A series of Inquiry District Overview Map Books is usually produced and distributed to the Waitangi Tribunal, historians involved in the district, claimant counsel, claimant coordinators and the Crown. Map Books assist claimants, the Crown and the Waitangi Tribunal to focus on research issues in relation to each inquiry district. Examples of research and events that can be depicted include:

-  Orientation maps.
-  Historic land blocks for a given time period.
-  Crown purchases.
-  Private land purchases.
-  Land development.
-  Land currently in Maori ownership.
-  Places of significance.
-  Traditional rohe.
-  Customary resource use.
-  Other issues specific to that inquiry district and/or claimant group.

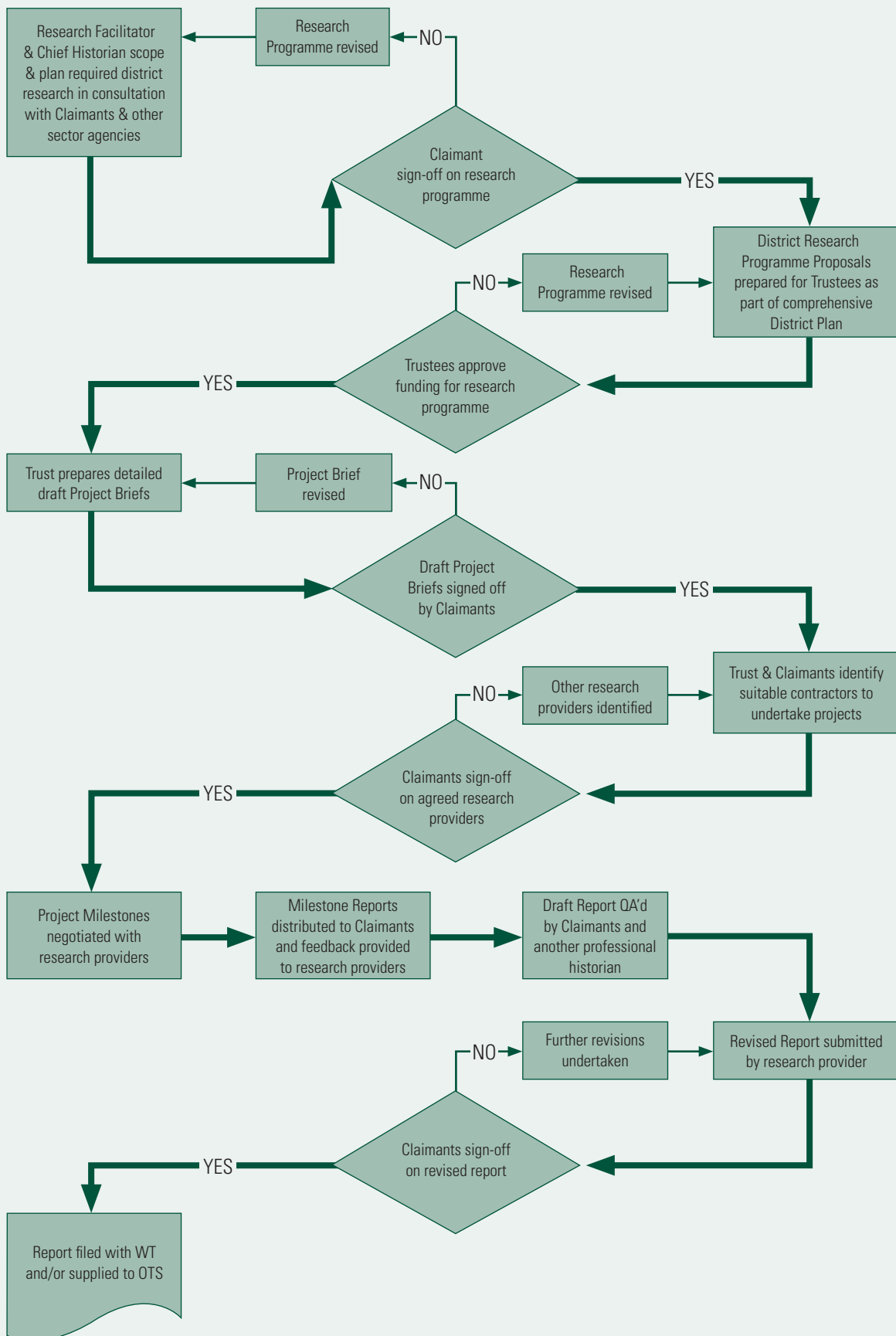
## Ownership of research

As a general rule the Trust owns all research it commissions. This is always the case with respect to reports produced as part of a District Research Programme. In order to avoid duplication of research it is almost always necessary to commission district overview reports on issues that affect most claimant groups in a district. The Trust retains ownership of these types of reports. This is so all claimant groups in any given district have an equal stake in the research produced. Were the Trust to transfer ownership to a particular group the project in question or even the whole research programme could be compromised.

The Trust has no interest in retaining the ownership of other types of research. This is particularly true with respect to claimant-specific oral history projects, traditional history projects and claimant-specific research projects. In these cases the Trust will consider transferring ownership to the claimant group for whom the research has been commissioned.

Once filed for a Waitangi Tribunal hearing, generic overview map books are available in the public domain. Claimant-specific map books, on the other hand, are owned by claimants. The Trust therefore refers all requests for copies of such maps to the claimant group for which they were prepared. In all cases the Trust is the custodian of the underpinning data from which the maps were derived, and the Trust will only release copies of this core data to third parties with the written permission of the owners of that data.

**Figure 5: District Overview Research Programmes**



# Traditional and Oral History Research

## Introduction

The Trust provides funding for a variety of projects that have been described as 'claimant perspective', 'customary (tenure)', 'Mana Whenua', 'traditional history' and 'oral history' research projects. These projects can take a variety of shapes and forms but are all produced to assist Maori in advancing their claims against the Crown through either the Waitangi Tribunal hearing process or through settlement negotiations with the Office of Treaty Settlements.

Trust staff are available to provide research advice and support to claimants seeking assistance with these projects. Proposals for funding are required to be as robust as other historical research funding proposals. Decisions on funding are made according to the merits of each business case or proposal.

The research funding criteria set out below is used as a guide in the development and assessment of traditional/oral history funding proposals.

## Eligibility

The Trust provides assistance to claimants to prepare, present and negotiate claims, which involve, or could involve, Crown Forest licensed lands before the Waitangi Tribunal or through the settlement negotiations process managed by the Office of Treaty Settlements.

It does this by:

- 🌀 Providing advice on all matters concerned with these processes.
- 🌀 Funding certain specified settlement-related activities necessary for these processes.
- 🌀 Planning and funding any research that is required.

In order to apply for funding for traditional and oral history projects, a claimant group must become an approved client of the Trust. More details of the formal eligibility requirements of the Trust can be found in the Claimant Assistance section of this booklet.

## Traditional evidence

Traditional evidence should be developed at the same time and alongside the rest of the evidential base. The Trust is only able to provide research funding assistance to projects that directly address and advance Treaty of Waitangi claims against the Crown.<sup>4</sup>

To be successful in advancing Treaty claims, traditional history reports should detail iwi history, whakapapa and traditions, and also provide sufficient information to illustrate the way Maori lived before Crown actions or omissions took effect, and how Crown actions and/or omissions changed the way Maori lived. This will identify how whanau, hapu and iwi related to or reacted against these changes as well as the enduring effects of these actions. This will inform the Waitangi Tribunal and the Crown about what was lost, in terms of land, resources and relationships and how this loss has been felt through to the present day.

The Trust can provide funding assistance to proposals that:

- 🌀 Deal with traditional Maori history and knowledge in relation to the Crown breaches and the effects of those breaches.<sup>5</sup>
- 🌀 Are focussed on Crown actions, omissions or the effects of Crown actions or omissions.

<sup>4</sup> Funding assistance is subject to the Trust's eligibility criteria.

<sup>5</sup> The Trust also has detailed knowledge of other research funding institutions and the process involved to make applications for research funding to these. Trust staff are available to offer assistance and information on this.

## Definition and scope

Traditional evidence can incorporate oral knowledge retained by kaumatua and kuia, as well as others who are identified as repositories of such knowledge (eg. Wananga). This research can also include written or recorded sources such as:

- 🌀 Native Land Court minute books.
- 🌀 Private manuscripts.
- 🌀 Publications (eg. Journal of the Polynesian Society).
- 🌀 Video or sound recordings of people.

Traditional evidence is information that is usually only held by Maori and expresses knowledge and information in a way appropriate to tikanga Maori.<sup>6</sup> Traditional evidence is valuable as it records and presents information about who the people making the claim are, their relationship with the land and with other iwi and the Crown.<sup>7</sup> The Office of Treaty Settlements records the three major categories where traditional knowledge is useful to advance Treaty claims towards settlement.<sup>8</sup> This information is also valuable and appropriate to present to the Waitangi Tribunal if so desired by the claimant groups who hold this knowledge.

The three major categories of traditional knowledge that the Office of Treaty Settlements finds useful during settlement negotiations are:

### Claimant definition

Claimant definition is “a description of those people whose claims would be settled by the settlement”. In particular this definition would include:

- 🌀 “A named founding ancestor (or ancestors) who is common to many (but not necessarily all) of the iwi and hapu.”
- 🌀 “A list of iwi and hapu names (this should include all historical descent lines, even if they do not form distinct communities today).”
- 🌀 “A description of a land area in which the ancestors of the claimant groups exercised customary rights. This is often necessary to distinguish the claimant group from other groups, if the same iwi and hapu names, or the same descent lines, occur in other parts of the country.”

### Claim area definition<sup>9</sup>

Following on from above, it is also extremely useful for claimants to prepare evidence about relationships with neighbouring hapu and iwi and how groups would in times past use, share and distinguish resources and areas of interest. This research would identify the issues of claim overlap and cross claims and explain and resolve these issues in line with customary practise.

<sup>6</sup> See comments of Hauraki Participants, Tutekawa Wylie, “Claimants Perceptions and Expectations of the Use of Traditional History Reports in the Settlement Process”, draft, 1 March 2004, p.11

<sup>7</sup> See Dr Grant Phillipson, Preparing Claimant Evidence for the Waitangi Tribunal, Waitangi Tribunal, 1999

<sup>8</sup> Office of Treaty Settlements, Healing the past, building a future (Red Book), p.47

<sup>9</sup> Office of Treaty Settlements, Healing the past, building a future (Red Book), p.58

## Identifying issues of traditional or cultural importance<sup>10</sup>

In understanding the context and effects of Crown actions, as well as identifying possible remedies, claimants should provide information about the cultural life of the hapu or iwi and how they interacted with the landscape. This type of evidence would include information about:

- 🌀 Wahi tapu and other sites of significance (wahi whakahirahira) including mountains.
- 🌀 Rivers and lakes.
- 🌀 Wetlands, lagoons, indigenous forests and tussock lands.
- 🌀 Coastal areas including the foreshore and islands.
- 🌀 Customary freshwater and marine fisheries.
- 🌀 Geothermal and mineral resources.
- 🌀 Plant and animal species.
- 🌀 Moveable taonga (artefacts).
- 🌀 Traditional place names.

## Contemporary oral evidence

By far the most important source of traditional information is through interviews with kaumatua and kuia and other knowledgeable members of the whanau, hapu or iwi. In addition to collecting traditional knowledge, oral interviews are also used to collect and record orally held information about the effect Crown actions and omissions had on Maori. These interviews would cover experiences relevant to the claims against the Crown that have been passed down through the generations as well as events and matters experienced directly by the witness. The key themes would include:

- 🌀 How Crown actions or omissions altered traditional relationships with the land, resources, places of special significance, waterways etc.
- 🌀 How Crown actions or omissions altered traditional relationships within the whanau/hapu or iwi.
- 🌀 How Crown actions or omissions altered or affected relationships with neighbouring tribes.
- 🌀 The overall effects Crown actions or omissions had on the claimants and their ancestors. In particular what harm was suffered by Maori as a result of Crown actions.
- 🌀 Contemporary or recent matters directly relevant to the claims against the Crown.

<sup>10</sup> Office of Treaty Settlements, Healing the past, building a future (Red Book), p.99

## Oral history and traditional history research proposals

The Trust will consider oral history and traditional history research proposals on the same basis as other research proposals. Proposals for funding oral history and traditional history research should be directed to the Chief Historian.

These proposals will need to take account of the following considerations:

- 🌀 The relationship between the proposed research and the claims against the Crown.
- 🌀 The group or groups on whose behalf the research is being conducted.
- 🌀 Who would carry out the research and an outline of their qualifications and/or experience.
- 🌀 The relationship between the proposed research and research already prepared or in preparation.
- 🌀 The manner in which the proposed research will be presented.
- 🌀 The forum and timeframe in which the proposed research will be presented.
- 🌀 The research sources and processes that would be utilised by the project.
- 🌀 Quality assurance process.
- 🌀 Detailed budget and financial controls.

If the proposed project contains an oral history component then the proposal should address the following points:

- 🌀 Themes to be addressed in the interviews.
- 🌀 Selection of interviewers<sup>11</sup> and interviewees.
- 🌀 Selection and competence in the use of recording equipment.
- 🌀 Policies and procedures for maintaining records of interviews.
- 🌀 Availability of the information gained from the interviews.
- 🌀 Management of the project.
- 🌀 Quality assurance procedures for recordings.
- 🌀 Preservation and security of recordings and transcripts.
- 🌀 Tape and transcript processing.
- 🌀 Ethical and legal considerations, both in relation to the interviews and confidentiality, ownership of materials provided and intellectual property management.

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<sup>11</sup> Including training and experience.

# Gap-filling Research

## Introduction

Additional research is an inevitable aspect of the research process. Although district research programmes are carefully planned, it is common experience that some issues are either not identified or do not receive sufficient coverage. This can occur for the following reasons:

- 🌀 A particular issue turns out to be more significant than initially anticipated in the research-planning phase.
- 🌀 An issue is 'lost' in a gap between two research reports.
- 🌀 An issue is not adequately researched in a commissioned historical report.
- 🌀 New and unforeseen issues are raised during hearings or settlement negotiations.
- 🌀 New archival material is located that raises new historical issues.
- 🌀 New claims are registered with the Waitangi Tribunal and present significant new issues.

## Definition and scope

The main purpose of research planning and facilitation is to negotiate the production of an achievable evidential base with claimants. If this process did not take place most districts could be researched for decades, depending on the number of claims and the quantity of historical records available. Trust research staff, usually working with Waitangi Tribunal staff, carefully facilitate and plan district research programmes with claimants. In doing this it is accepted that some issues and particulars of claim will not be researched and also that research gaps will emerge from time to time. It is the nature of research that new issues are identified as a part of the process.

Gap-filling research can be identified in the following ways:

- 🌀 The Waitangi Tribunal identifies an issue that requires further research during the casebook review process<sup>12</sup>.
- 🌀 Claimants and their counsel identify a significant issue of claim not covered by existing research and present a convincing case based on research methodology to Trust research staff.
- 🌀 Claimants and the Crown identify a significant issue during settlement negotiations on which an historical or technical issue is in doubt. Both parties agree to the need for more research.
- 🌀 Contract researchers note a significant issue that was either outside of their commissioned project or was for various reasons not adequately covered by their report.
- 🌀 Contract researchers who quality assure reports note a significant gap that cannot be filled in the remaining contract time.

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<sup>12</sup> The Waitangi Tribunal usually commences a casebook review when research is substantially complete.

- 🌀 The Waitangi Tribunal, during its inquiry process, identifies a significant issue that requires further research.
- 🌀 Inquiry districts that have not gone through the Trust's current research planning process, operational since 2000, may re-enter Tribunal hearings or negotiations and require additional research.

The stage of groups within the settlement process also influences how research gaps are identified. For example, a Waitangi Tribunal Stage One inquiry involves a preliminary inquiry into broad overview or generic historical issues of a district. A Stage Two inquiry involves a much fuller and detailed historical inquiry in relation to specific claims. In these circumstances the Trust would only consider research gaps if the claimants elect to proceed to the Stage Two inquiry.

The majority of research gaps involve specific or discrete topics that can be researched in a short period of time. In a few cases, however, research gaps can be as significant as "main reports".

# Research Management

## Overview

Once a research plan has been agreed between the claimant group, the Trust and any other relevant stakeholders, Trust staff present a funding application for Trustees' consideration.

Following approval of a research plan by Trustees, Trust staff work with claimants to identify suitably qualified professional historians to undertake the necessary work. Claimants are able to comment on the choice of candidates as well as assess their Curriculum Vitae and meet with them. Claimants may also put forward the names of suitably qualified people who are recognised by them as being appropriately qualified to complete research.

Project briefs outlining the specific issues to be covered in each research report are drafted prior to any contracts being signed with the historians. Claimants and their counsel have the opportunity to review and comment on the draft project briefs.

With the exception of claimant-specific research projects, all other research and mapping projects over \$50,000 that the Trust commissions are put out to tender. A preferred provider is identified, confirmed by claimants and the Trust negotiates a contract. Contracts are monitored against agreed milestones. Any issues or problems are identified and corrected as soon as possible.

When a draft report or map is completed it is circulated to claimants for review and feedback. This normally includes a hui with the claimant group concerned to facilitate direct discussion and feedback.

Draft reports and draft maps are also peer-reviewed by a suitably qualified research professional engaged by the Trust to ensure that a high standard of quality is maintained. The author of the report then amends their report in response to the feedback received from the Trust and claimants.

If the final report or map does not meet the required standard, the Trust terminates the contract and looks elsewhere to complete the research project. Fortunately this very rarely is necessary.

## Approving research proposals

In general terms the approval process takes the following steps.

- (a) An eligible client of the Trust must make the request for funding from the Trust.
- (b) An internal committee consisting of the Chief Historian, Research and Mapping Contract Manager and the relevant Research Facilitator will assess the request. The Trust may also forward the request to the Inquiry District Research Coordinating Committee (if established) or Waitangi Tribunal research staff for their comments.

This assessment will identify factors such as:

- 🌀 The importance of the proposed research proposal to the hearing process, (such as whether the issue is being pleaded).
  - 🌀 Whether the research will be completed in time for inclusion in the casebook or whether there is leave from the Waitangi Tribunal to file the research after the casebook deadline<sup>13</sup> or whether the research can be undertaken within the Settlement Negotiation timeframe.
  - 🌀 Whether the research already exists.
  - 🌀 Whether the research is relevant or necessary for the claimants' negotiating strategy.
- (c) If accepted, the request will be assessed in line with the Trust's benchmark costs and contracting guidelines to ensure it has been properly scoped and costed. This includes an assessment of the timeliness of the research and any resulting reports to meet the Waitangi Tribunal timeframes. This assessment process is described further below.
  - (d) A funding paper is prepared for Trustees.
  - (e) If Trustee approval is received, the project is then contracted following the Trust's contracting procedures.

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<sup>13</sup> It is not uncommon for a small number of discrete issues reports to be filed after the close of the casebook.

## Assessment criteria for proposals

Trust staff will assess the proposal and make recommendations on the relevance and quality of the research proposal. In particular the assessment will consider whether the following points have been adequately addressed:

- 🌀 Clarity of the purposes and objectives of the research.
- 🌀 Intended historical contribution of the project.
- 🌀 Research design and timeframes – do they meet current best practice, are the timeframes achievable.
- 🌀 Management of the project.
- 🌀 Quality assurance procedures for recordings.
- 🌀 Detailed budget and financial controls.
- 🌀 Performance in relation to any previous Trust contracts.

If there is an oral and history component, the following points are also addressed:

- 🌀 Format of the outcomes of the research.
- 🌀 Selection and competence in the use of recording equipment.
- 🌀 Selection of interviewers and interviewees, including training and experience.
- 🌀 Policies and procedures for maintaining records of interviews.
- 🌀 Availability of the information gained from the interviews.
- 🌀 Ethical and legal considerations, both in relation to the interviews and confidentiality, ownership of materials provided and intellectual property management.
- 🌀 Preservation and security of recordings and transcripts.
- 🌀 Tape and transcript processing.

## Selecting a contractor

The Trust has a pool of research providers which has been established over recent years. New contractors (whether known to the Trust or recommended by claimants) are required to complete an Approved Provider Application Form. This enables the Trust to carry out an initial check on an applicant's quality of work and professionalism. The form is available from the Research and Mapping Contracts Manager or the Chief Historian.

## Tender process

All work over \$50,000 is sent to suitable providers inviting them to tender for the work. This is done to ensure a competitive price for the work proposed.

The tender process has the following steps (which are also illustrated in the flowchart on page 44).

1. The relevant district Research Facilitator, Chief Historian, and Research and Mapping Contracts Manager prepare a draft project brief for the work to be done (consistent with the overall district research programme previously approved by the Trustees).
2. Tender documents are forwarded to a shortlist of suitably qualified providers inviting them to tender for the work proposed.
3. Tender proposals are received and are assessed by the Trust's Internal Committee (comprising the relevant district Research Facilitator, Chief Historian, and Research and Mapping Contracts Manager) which selects the preferred provider.
4. Those providers that submit a tender proposal are notified by email or phone within 10 working days of close of tenders of the Trust's Internal Committee's preferred provider(s) for the work to be contracted (subject to claimant agreement and satisfactory contractual arrangements being agreed).
5. The Trust advises the claimant group(s), for whom the research is being commissioned, the names of the tenderers who submitted a proposal, the Trust's preferred provider for the work and the draft project brief. Claimants are invited to question or comment on the selection process and the background of the preferred provider.
6. Once claimants have confirmed their acceptance of the preferred provider(s), the Trust then enters into contract negotiations with the provider on the details of the work to be undertaken (namely milestones and the contract price for the work).
7. The Trust then negotiates a contract with the agreed provider.

It is not mandatory for research work valued under \$50,000 to be tendered, though the Chief Historian and Research and Mapping Contracts Manager may choose to tender the work if there are a number of approved providers that can do the work at a competitive price.

Claimant groups may consider following a similar tender process when arranging their own research contracts. Trust staff are able to advise claimants on the competitive tendering process that it uses when commissioning research. However, where the claimant group has identified the person(s) themselves a tender process may not be required or appropriate.

The flow diagram on page 44 (Figure 6: *Preparation of Trust-commissioned research contracts*) depicts the steps involved in contracting research through the Trust.

**Figure 6: Preparation of Trust-commissioned research contracts**

