

Terms of Reference

Auckland Council Demographic Advisory Panels 2019-2022

DISABILITY ADVISORY PANEL

ETHNIC PEOPLES ADVISORY PANEL

PACIFIC PEOPLES ADVISORY PANEL

RAINBOW COMMUNITIES ADVISORY PANEL

SENIORS ADVISORY PANEL

YOUTH ADVISORY PANEL

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AMENDMENTS

Version	Amendment	Committee	Resolution #
V1.0	Mayoral Proposal	Governing Body	
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Terms of Reference

The terms of reference set out the purpose, role and protocols of all Auckland Council demographic advisory panels. Panel members abide by the Code of Conduct for members of Auckland Council advisory panels (Appendix A).

Demographic advisory panels

The demographic advisory panels of Auckland Council in the 2019-2022 term are the:

- Disability Advisory Panel
- Ethnic Peoples Advisory Panel
- Pacific Peoples Advisory Panel
- Rainbow Communities Advisory Panel
- Seniors Advisory Panel
- Youth Advisory Panel.

Purpose

As one of council's engagement mechanisms with diverse communities, the demographic advisory panels provide advice to the governing body and council staff within the remit of the Auckland Plan on the following areas:

- Auckland Council's regional policies, plans and strategies
- regional and strategic matters including those that Council-Controlled Organisations deal with
- any matter of particular interest or concern to diverse communities.

Outcomes

The panels' advice will contribute to improving the outcomes of diverse communities and social cohesion as set out in the Auckland Plan. The panels will advise through their agreed strategic agenda and detailed work programme.

Strategic agenda and work programme

The panels must develop a work programme and set a strategic agenda for the term. The agendas should be focused and integrated across the panels for collaborative input into shared agendas, particularly in relation to the Auckland Plan, the Long-term Plan and regional policies.

The panels should advise on council's operational and organisational strategies relevant to diverse communities, for example, the diversity leadership strategy as part of the *Engage and Enable Communities* approach.

The panels may also consider whether they wish to choose, shape and support a project they feel passionate about as part of their work programme.

The governing body and council staff should work with the panels for the development of their strategic agendas and work programme. An appropriate committee will approve the panels' work programme and any subsequent major changes to it.

Chief liaison councillor and liaison councillors

The Mayor appoints a chief liaison councillor and one liaison councillor for each of the six advisory panels.

The role of a chief liaison councillor is to:

- support a more integrated panel approach
- provide connections between the governing body and the panels
- advise the mayor on panel issues.

The role of a liaison councillor is to:

- ensure that the governing body is aware of panels' feedback on council issues and their advice on diverse communities.
- help align the panels' strategic agendas with governing body priorities
- actively engage in panel meetings and workshops
- engage with the panel chair and the lead officer for meeting agendas

The panels will mainly engage with the governing body through the environment and community committee meetings or workshops. The panels may also engage with other committees considering regional plans and strategies on which the panels have provided advice.

Selection process

The selection process of panel members is open for applications. The members of the panels are selected on the basis of their:

- individual competencies
- lived experience with relevant diverse communities
- ability to offer policy and strategic advice
- understanding of diverse communities of Auckland
- understanding of Te Tiriti O Waitangi.

Qualification of members is set out in Appendix B.

The mayor appoints panel members with the endorsement of the governing body to give effect to the membership of the panels. If members need to be replaced during the term, the mayor can make the appointment in consultation with the Chief Liaison Councillor and the panel liaison councillor.

Membership

Each panel has between eight and twelve members.

Members of the Youth Advisory Panel should be aged between 14 and 24 at the time they are appointed. The members of the Youth Advisory Panel are exempt from clause (2)(a) of Appendix B.

Panels should have at least two members with lived experience in Te Ao Māori and knowledge of the contemporary issues facing Māori communities. The representation of Māori members may not be applicable to the Ethnic Peoples Advisory Panel or the Pacific Peoples Advisory Panel.

When a panel has less than eight members, the council must appoint additional members to meet the minimum number of members. The council may consider appointing previous unsuccessful applicants.

The council will appoint the next highly ranked candidates in the selection process should any appointed members decline the appointment offer or decide to leave the panel.

Auckland Council family staff including CCOs are not eligible to be panel members.

Any vacant panel positions are not to be replaced when the panel's term has less than 12 months until the next local government elections take place.

The panels' term ends one month prior to the next local government elections in 2022.

The membership of a panel member will lapse if one or more of the disqualifying matters set out in Appendix B applies to the panel member.

If a member fails to attend a significant number of meetings, breaches the Code of Conduct or otherwise underperforms in his/her duty as a member, the chair or officers must first raise the issues directly with the member and try and resolve them by mutual agreement. If under-performance continues the chair can recommend to the Mayor that the member be removed from the panel.

Meetings and workshops

Each panel will have a maximum of three formal meetings and up to seven workshops per year at a time deemed convenient to the majority of members.

Scheduled meetings are open to the public and any elected members of Auckland Council.

Workshops are used for discussion between panel members, governing body members and relevant council staff.

Two to four times a year, workshops will also be held to bring together all demographic advisory panels on shared council agendas, for example, the council's diversity leadership strategy.

Additional workshops or meetings will be organised in agreement with General Manager Democracy Services to advance the panels' strategic agenda and work programme depending on the availability of budget.

Quorum

The quorum required for resolutions at a scheduled meeting of the panels will be half the members if the number of members is even, and a majority if the number of members is odd. The quorum includes the chief liaison councillor and liaison councillors.

Meeting protocols

The mayor will appoint the chair and deputy chair or co-chairs for each of the advisory panels within three months of the establishment of the panels. The chair or co-chairs are responsible for chairing all panel meetings and workshops.

The panels may invite presentations from external organisations and individuals in scheduled meetings if the topics are relevant to the panels' strategic agendas. The chair approves such external presentations in consultation with the liaison councillor and the lead support officer.

The resolutions in each meeting should clearly be shown in meeting minutes. Minutes will be kept for workshops but will not be published.

Submissions

The panel cannot make formal submissions to Auckland Council on council strategies, policies and plans, for example, the annual plan. However, the panel may be asked for informal feedback during a consultative process.

In its advisory role to the council, the panels may have input to submissions made by the council to external organisations but do not make independent submissions, except as agreed with the council.

This does not prevent individual members being party to submissions outside their role as panel members.

Communications and engagement

The panels are provided with a small budget to facilitate communication and engagement activities, for example community forums. This can be used to better inform the council of community perspectives and to facilitate discussion between the council and diverse communities on council issues. Where possible, the panels should work with council staff to complement council's other communication and engagement mechanisms.

Media

The panels may issue media releases through the council's communications advisor on council matters or issues of importance to their respective communities. Any media release by a panel requires the approval of the mayoral office.

The panels should refer to the Code of Conduct in the event that a panel member receives a request for panel comment directly from a journalist or media outlet.

Panel resourcing

The council sets an annual budget for the panels.

All panel members are entitled to meeting fees as determined by the council on the basis of the Auckland Council Fees Framework and Expenses Policy for Appointed Members. An

hourly rate may also be applied where work other than preparation for and attendance of meetings is required. This must be pre-approved and minuted before the work is undertaken.

The council will reimburse personal expenditure incurred in conducting panel business, in line with the Expenses Policy.

Staff support

The panels are supported by the following council staff.

Governance Director

The Governance Director

- is the executive leadership team member responsible for advisory panels
- through the General Manager Democracy Services, works with the mayor's office to create strong links between the panels, the governing body and the organisation
- drives and promotes the council's engagement with panels through the executive team
- brings panel views on council's organisational strategy for the consideration of the executive team where appropriate.

Principal Advisor Panels

The Principal Advisor Panels:

- ensures appropriate processes and policies are in place for the panels
- supports the Chief Liaison Councillor for panels' connection with the governing body
- facilitates working across panels
- negotiates and brokers strategic agendas between the panels and the council
- ensures strategic agenda and work programme are signed off by the governing body
- co-ordinates monitoring and reporting of progress on the panels' strategic agendas
- establishes and oversees processes for communication between the panels and communities
- arranges recruitment and induction of members
- provides a final report on the panels' achievements at the end of the council term.

Lead Officer Support

The Lead Officer Support:

- advises the chair on the strategic agendas
- co-ordinates development of the panels' strategic agenda and work programme
- follows up on meeting actions and resolutions
- acts as a conduit with relevant parts of organisation for the panels
- supports the liaison councillor
- attends pre-meeting briefings with the chair and liaison councillor
- highlights potential issues and risks
- sits next to the chair in meetings to provide advice as appropriate
- ensures guidance and advice from the panels is clearly captured
- provides subject matter expertise.

Deputy Lead Officer Support

The Deputy Lead Officer Support:

- supports the lead officer to develop the panels' strategic agendas

- updates the panels' agendas and write necessary reports for panel meetings and workshops
- performs delegated tasks from the Lead Officer Support.

Communications Advisor / Specialist

The Communications Advisor / Specialist:

- is the panels' initial point of contact for all media activity undertaken by or in collaboration with the panels
- can assist with communicating matters of relevance to the panels and/or related to the panels' strategic agenda and work programme
- provides advice and works with the panel chair and/or delegated panel spokesperson and relevant support staff in response to media inquiries and other communications. This may include reviewing and providing feedback on draft media releases and other communications.

Governance Advisor

The Advisor Governance Support:

- prepares for meeting agendas and schedule
- arranges panel meetings and workshops
- takes meeting minutes and publishes them online on time
- acts as a first point of contact for panel issues, and refers inquiries or information to relevant council staff.

Review

The form and functioning of the panels may be reviewed prior to or after, the end of the panels' term in September 2022.

Appendix A: Code of Conduct for members appointed to Advisory Panels

1 Purpose

The Code of Conduct sets out expectations for the general conduct of members of Auckland Council advisory panels.

2 Principles

The principles underlying the expected conduct of members include:

2.1 Honesty and integrity

Members have a duty to act honestly and with integrity at all times.

2.2 Impartiality and accountability

Members should consider issues on their merits, taking into account the views of others. This means co-operating fully and honestly to ensure the best advice is provided to the council.

2.3 Openness

Members should be as open as possible about their actions and advice. This includes having an open mind and a willingness to listen to differing points of view. This means giving reasons for advice given; communicating clearly; not being close-minded and taking personal ownership of comments made publicly.

2.4 Respect

Members should treat others, including staff, with respect at all times. This means not using derogatory terms towards others, or about others, including in public-facing media; not misrepresenting the statements or actions of others (whether they be other individual members, the governing body, local boards, committees or staff); observing the rights of other people; treating people with courtesy, and recognising the different roles others play in local government decision-making.

2.5 Duty to uphold the law

Members should uphold the law and, on all occasions, act in accordance with the trust the public places in them.

2.6 Stewardship

Members should ensure that they and the council use resources prudently and for lawful purposes.

2.7 Leadership

Members should promote and support these principles by example.

3 Relationships

3.1 Chair

The chair (co-chairs in the case of the Rainbow Communities Advisory Panel) is the presiding member at the meetings and is the spokesperson(s) for the panel.

3.2 All members

Members will conduct their dealings with each other in ways that:

- maintain public confidence in the office to which they have been appointed
- are open and honest
- focus on issues rather than personalities.

3.3 Employees of Auckland Council

Members will:

- not do anything which compromises, or could be seen as compromising, the impartiality of an employee
- avoid publicly criticising any employee in any way
- raise concerns about an employee only through the employee's employer.

4 Media

4.1 Spokesperson

The chair is the first point of contact for the official view of the panels on any issue. Where the chair is absent, any matters will be referred to the deputy chair when applicable.

No other member may comment on behalf of the panels without having first obtained the approval of the chair.

4.2 Response to media enquiries

In the event that a panel member receives a request for panel comment directly from a journalist or media outlet, the member is required to forward the request immediately to the panels' assigned communications advisor as well as the panel chairs. Panel members must not respond directly to media without prior agreement.

Where a journalist or media outlet seeks an individual panel member's views, the panel member will:

- make clear that the views presented represent the personal views of the individual member
- ensure that information presented is consistent with information provided to the panel
- maintain the integrity of the panels and Auckland Council at all times.

4.3 Personal views

Members are free to express a personal view in public or in the media, at any time. When doing so, they should observe the following:

- comments must make clear that they represent a personal view and must not state or imply that they represent the views of the panels
- where a member is making a statement that is contrary to a panel policy, the member must not state or imply that his or her statements represent a majority view
- comments to the media must observe the other expectations of general conduct, e.g. not disclose confidential information, or compromise the impartiality or integrity of staff.

5 Confidential information

If members receive information that is confidential they must ensure it remains confidential. Confidential information is normally deemed to be such because its public release will cause some harm, either to the council or to other parties.

6 Ethics

Members will:

- claim only for legitimate expenses
- not influence, or attempt to influence, any officer or employee to take actions that may benefit the member, or the member's family or business interests
- not use the resources of the panels for personal business
- not solicit, demand, or request any gift, reward or benefit by virtue of the member's position.

7 Members' interests

7.1 Acting in the interests of the advisory panel and the public

Members act in the interests of the panels and not in their own interests.

A financial conflict of interest arises when a member stands to benefit financially, either directly or indirectly, from advice given by the panels.

A non-financial conflict may arise from a personal relationship or association with another organisation or from conduct that indicates prejudice or predetermination. In these situations a member may be influenced by interests that conflict with the duty to act in the best interests of the panels.

Members must declare any private interests or personal benefits relating to their public duties and take steps to resolve any conflicts of interest in such a way that protects the public interest. This means fully disclosing actual or potential conflicts of interest; avoiding any financial or other obligation to any individual or organisation that might reasonably be thought to influence them in the performance of their duties.

8 Complaints

A complaint about a member's conduct will be made to the chair of the panels in the first instance, who will counsel the member concerned. Alternatively, concerns about the conduct of any member or chairperson may be raised with the General Manager Democracy Services, who will give advice on options available to resolve the concerns.

Appendix B: Qualifications of Members

1. To be a member of the board, a person must
 - a. be a natural person, and
 - b. consent to being appointed to the board, and
 - c. not be disqualified under sub clause (2).

2. The following persons are disqualified from being members:
 - a. a person who is under 18 years of age (except for the Youth Advisory Panel)
 - b. a person who is an undischarged bankrupt
 - c. a person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, or the Securities Act 1978, or the Securities Markets Act 1988, or the Takeovers Act 1993
 - d. a person who is subject to a property order under the Protection of Personal and Property Rights Act 1988
 - e. a person in respect of whom a personal order has been made under that Act that reflects adversely on the person's
 - i. competence to manage his or her own affairs in relation to his or her property; or
 - ii. capacity to make or to communicate decisions relating to any particular aspect or aspects of his or her personal care and welfare
 - f. a person who has been convicted of an offence punishable by imprisonment for a term of two years or more, or who has been sentenced to imprisonment for any other offence
 - g. a current member of Parliament
 - h. a current Auckland councillor or current local board member
 - i. a current Independent Māori Statutory Board member
 - j. a person who is disqualified under another Act.