

Terms of Reference Local Advisory Committees November 2024



WHAKARATONGA IWI

**FIRE
EMERGENCY**

NEW ZEALAND



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Introduction

Background

Fire and Emergency New Zealand's (Fire and Emergency) vision is "Stronger communities protecting what matters". To realise that vision, Fire and Emergency needs strong engagement and links with communities throughout the country to ensure their interests are reflected in local and national planning.

The [Fire and Emergency New Zealand Act 2017](#) (the Act) provides for the establishment of Local Advisory Committees (LACs) by the Board of Fire and Emergency (the Board) to enable understanding of each community's current and future risks, issues, and needs.

This document sets out the Terms of Reference within which the Local Advisory Committee (the Committee) is established and operates.

Purpose

The purpose of LACs is to undertake local engagement and to provide community-focused advice to Fire and Emergency on local values, needs, opportunities, issues and risks.

Role, scope and responsibilities

Role

LACs are appointed by, and report to, the Board. In accordance with their enabling legislation, LACs are operated in an advisory capacity. Their primary role is the provision of advice to Fire and Emergency, from a local perspective.

The role of LACs includes the following:

- Representing the community and providing an understanding of local values and priorities, and risks and issues
- Providing advice to Fire and Emergency on specific local needs
- Assisting Fire and Emergency in its planning on future service delivery
- Strengthening engagement between Fire and Emergency and its local communities
- Supporting Fire and Emergency to connect with communities to reduce risk and build communities

Scope

The Board has set boundaries for LACs across New Zealand. The boundaries set by the Board generally align with existing Civil Defence and Emergency Management (CDEM) boundaries. A map showing the LAC boundaries is attached in Appendix 1.

LACs provide Fire and Emergency with advice and undertake engagement with communities within its local area, considering the role and responsibilities and operating principles set out in this Terms of Reference.

As LACs are an advisory committee, these functions are out of scope:

- Power or authority to make decisions in the Board's name or on its behalf

- Any management or operational decision-making authority
- Any management control over any brigade, person, resource, or budget

Responsibilities

LACs have the following legislative functions under section 14 of the Act:

a. To undertake efficient and effective local engagement for the Board.

LACs undertake planned engagement to help provide a broad understanding of local values, needs, opportunities, risks and issues.

b. To provide local advice to Fire and Emergency on the national strategy, local issues, and local planning.

Planning at the local level will identify specific needs, resources, capabilities, and constraints relevant to Fire and Emergency's functions. Planning aims to align its activities to address local needs and constraints and identify the required resourcing in line with Fire and Emergency's national planning.

c. To consider and promote the interests of the local area's Fire and Emergency volunteers.

This includes helping Fire and Emergency understand factors in specific communities that may impact on the ability to attract and retain volunteers, and whether the volunteer model is meeting the needs of the community.

Information such as location and composition of volunteer brigades in the local area, and statistics relating to incidents responded to by brigades, can be made available to the Committee for their information.

d. To consider the interests of the industry brigades operating in the local area.

Industry Brigades are part of the wider fire services sector. Airports, industry, forestry, and organisations with a statutory land management role may have their own brigades to protect their land, buildings, or movable assets.

Information on the Industry Brigades in the local area can be provided to the Committee.

e. To consider the provisions of any current operational service agreements (OSAs) and memorandums of understanding (MOUs) that Fire and Emergency has, and that is relevant to the local area in relation to which the Committee has responsibilities.

These documents outline the relationships Fire and Emergency has with, or the services Fire and Emergency provides to other agencies and their respective service responsibilities. They may include:

- Department of Conservation OSA.
- New Zealand Defence Force OSA.
- Ministry of Education MOU.

Copies of the agreements can be provided to the Committee.

f. To provide regular advice on Fire and Emergency NZ's progress in relation to its local planning.

LACs provide advice to the Fire and Emergency on how well local planning is reflecting the needs of local communities.

Responsibilities of the Chair and Deputy Chair

The role of the Chair of the Committee is to lead the Committee to engage with communities and provide advice to the Board and the district on local values, needs, issues and risks.

The Chair of the Committee is responsible for managing an efficient and effective Committee, undertaking engagement on behalf of the Board and ensuring that the provision of advice to the Board is high-level and strategic. The Chair is also responsible for ensuring the Committee creates and regularly updates, a work programme and stakeholder engagement plan.

The Deputy Chair of the Committee is responsible for supporting the Chair as required and stepping into the role of the Chair when needed.

Key relationships

The Board

The Board appoints the Committee members, the Chair and Deputy Chair. The Committee is accountable to the Board. The Board will provide LACs with strategic guidance and the Committee will provide advice and insights to the Board based on this guidance and its functions under the Act.

The Board will receive, acknowledge, and have regard to advice provided by the LACs. The Board is responsible for ensuring the advice informs Fire and Emergency's planning and providing feedback on how the advice from LACs has been considered by the organisation.

The Board will support LACs to be efficient and effective by providing administrative support, resources, facilities and relevant information.

LACs will undertake engagement and provide advice to the Board by way of an annual report and regular updates, as required.

Chief Executive and Management

Fire and Emergency management will ensure the Committee is supported and provided with the necessary resources including research and relevant information, administrative support and facilities to enable the Committee to be effective and efficient.

Specifically, this will include:

- The appointment of a senior manager to maintain oversight of the day-to-day operation and support of LACs and to enable the provision of informed advice to the Board
- The appointment of advisory staff to support the Committee with: the annual work programme and stakeholder engagement plan; stakeholder relationships and engagement; research and information needs; meeting agendas and minutes; the development of advisory reports on local community values, priorities, risks and issues to the Board; oversight of the appointments and induction processes; and ensuring the necessary administration arrangements are in place.

District Managers and their leadership teams support the Committee by providing relevant local information and guidance. They also provide feedback on how the Committee's advice and insights are being used at a local level. District Managers maintain strong relationships with the Chair and members of the Committee.

Community, stakeholders, interest groups and the public

The Committee will build effective relationships with a variety of networks throughout the community

and develop and operate a stakeholder engagement plan which includes mechanisms to report to the local community on the activities of the Committee. The Committee will ensure the advice it provides to the Board is reflective of the community values, needs, risks, issues and opportunities.

Membership

The [Fire and Emergency New Zealand \(Local Advisory Committees\) Regulations 2018](#) (Regulations) cover matters relating to membership.

Membership of LACs

Committee members are appointed by the Board in accordance with section 19 of the Act and the Regulations. The Committee consists of a Chair, Deputy Chair and at least three members, unless the Board determines that the Committee may have no more than two members in addition to the Chair and Deputy Chair, in accordance with clause 5(2) of the Regulations.

The membership of each LAC will be determined by the profile of the rohe to ensure that it is representative of the communities of interest.

Terms of appointment of members

Members will be appointed for a period not exceeding three years, that the Board determines at the time of appointment. Members may be appointed for varying terms of one, two or three years, in order to create staggered annual rotation of the membership, and to create the appropriate level of capacity required for the Committee to effectively carry out its regulated functions.

The Board may choose to reappoint a member for further terms, generally not exceeding six consecutive years in total tenure, as the Board determines.

Resignation of a member

A member may resign at any time in writing to the Board, signed by the member. The resignation is effective 28 days after the Board receives the notice, or at any later time specified in the notice.

Circumstances in which a member may be removed from office

Subject to the principles of natural justice, the Board may remove a member from office if the Board is satisfied that the member:

- a. has, for any reason, displayed an inability to perform the functions of that office including any change in circumstances or an interest that is unable to be effectively managed; or
- b. has neglected their duties, including where the member's attendance, conduct, or performance at meetings of the Committee has not been satisfactory; or
- c. has failed to perform their functions in accordance with the operating principles developed by the Board under section 17 of the Act; or
- d. has been convicted of a criminal offence punishable by imprisonment and the Board considers that the conviction reflects on the fitness of the member to hold office.

When the Board decides to remove a member from office, the Board will immediately serve written notice of its decision to the member.

The removal from office takes effect from the time of service on the notice to the member unless the notice provides otherwise.

Committee operations

Operating principles

The operating principles for LACs are set by the Board, in accordance with Section 17 of the Act. The operating principles are intended to guide the way LACs operate, including engagement with their communities and stakeholders, and their interactions with Fire and Emergency.

1. LAC members conduct themselves in accordance with the Terms of Reference set by the Board.
2. LAC members strive to be well engaged, by developing and maintaining excellent relationships across their local community, groups, and stakeholders, to be able to understand and represent their community's values, risks, and issues.
3. LACs recognise Fire and Emergency's commitment to working with Māori as tangata whenua.
4. LAC members champion discussions that are open and constructive, with robust and transparent decision-making processes that are appropriate for members from a public forum.
5. LAC members carry themselves in a professional manner, towards each other and others outside of their LAC, by being respectful, working as a team, and recognising that differences of opinion can bring greater clarity and lead to better common understanding for the benefit of their community.
6. LAC members are prepared and do their best to attend, and actively participate in all LAC meetings, discussions, and activities, so that their LAC can benefit from each other's individual community knowledge, skills, and experiences.
7. LAC members fulfil their role responsibly, acting in good faith, to ensure their LAC represents views that are in the best interests of their community, and not that of the individuals or individual organisations.
8. LAC members shall declare their interests and notify the Chair where there may be a potential conflict of interest.
9. LAC members do their best to not bring themselves, their LAC, Fire and Emergency, or the Board into any form of disrepute.
10. LAC members treat information, personal and those received in confidence, with care, and ensure they are only used for proper purposes.
11. LAC members are conscious that Fire and Emergency is publicly funded, and do their best to take the appropriate measures, to ensure their LAC uses its resources effectively and efficiently.
12. LAC members perform their individual and that of their LACs functions to the best of their ability, by delivering an annual work programme, agreed with the Board for the benefit of their community, and by providing advice, by way of report to the Board, by the Board's requested due dates.

Meetings

LAC meetings are generally held three times per year.

LAC members make all reasonable effort to attend meetings. Chairs are responsible for maintaining attendance of their committee members.

In the absence of the Chair, the Deputy Chair will chair the meeting. If neither the Chair or Deputy Chair

are available and there is a quorum, members present can choose an acting Chair. A minimum of 50 percent of members are to be in attendance for there to be a quorum.

The Chair, on behalf of the Committee, may invite additional attendees such as stakeholders and others to discuss and provide advice on relevant matters.

At each Committee meeting, progress on the work programme and all recent stakeholder engagement and upcoming planned engagement by the Committee and individual members is to be reported on, discussed, and recorded.

Reporting

The Chairs ensure that the Committee provides the Board with updates and reports in a timely manner. The Committee will provide annually a report to the Board providing advice and local insights. The Committee may also provide the Board with relevant updates on engagement activities and agreed insights and advice three times per year.

Accountability and performance

Management of interests

Sections 62 to 72 of the Crown Entities Act 2004 applies to Committee members. On appointment, all members will be asked to declare their interests in an Interests Register that will be maintained for the Committee. Should a member's interests change they should immediately inform the Chair so that the register can be updated. The Chair will ask members to regularly provide updates to the Interests Register and to declare and discuss any actual or perceived interests at the start of each meeting.

If a member accepts any new role or responsibility which has a specific focus or representation likely to interfere with the general role of the Local Advisory Committee, then this could mean the members' conflict of interest would be unmanageable. Other situations where an unmanageable interest is likely to arise are where members have significant or leadership roles in unions or associations (including the NZPFU, UFBA, FECA, PSA) or industry bodies that interact closely with Fire and Emergency, or a member becomes an employee of Fire and Emergency.

In these circumstances, the member must contact their LAC Chair or the National Manager Local Advisory Committees as soon as possible.

Management of potential, perceived, or real conflicts of interest is the responsibility of the Chair.

Where the Chair deems that an interest cannot be managed through an appropriate mechanism, then the Chair will refer the matter to the National Manager, Local Advisory Committees, who will refer the matter for consideration by the Board Chair.

Confidentiality

Committee members are required to keep all information acquired by whatever means in the course of their work with Fire and Emergency confidential, where such information was, is, or should have been subject to an obligation of confidentiality. Committee members are not to release any such information without written consent from Fire and Emergency.

Official Information requests

If the Committee receives a request for information under the Official Information Act 1982, it must refer it to Fire and Emergency for consideration and provision of an appropriate response.

Committee members should be aware that information created or held by the Committee, or its members (in that capacity) will be subject to the Official Information Act 1982, the Privacy Act 1993, and the Public Records Act 2005.

Fees and Expenses

Members are entitled to be paid fees for attendance at meetings and while undertaking the business of the Committee. The level of the fees is set by the Board in accordance with the *Cabinet Office Circular CO (22) 2: Revised fees framework for members appointed to bodies in which the Crown has an interest* (Framework). The level and basis for fees is set out in the letter of appointment.

Members travelling to and from meetings, or on Committee business (where the members are required to be away from their normal place of residence) are entitled to reimbursement for out of pocket travelling, meal and accommodation expenses actually and reasonably incurred, in accordance with the Framework. The basis for reimbursement is set out in the letter of appointment and all fees and expenses claims will be subject to the approval of Fire and Emergency.

Funds will be allocated to support LACs with their community engagement activities. Significant expenditure must be approved by Fire and Emergency, prior to the engagement being undertaken.

Committee self-review

Annually the Committee will self-review achievement of the work programme and the effective operating of the Committee, including identifying gaps and opportunities for improvement, and report this to the Board.

The Board may provide feedback on the review and may include further suggestions for improvement and or requirements. Note the review should include the effectiveness of the working relationships with Fire and Emergency personnel and the support being received.

Appendix 1 – LAC boundaries

