



[Local Area Name] Local Advisory Committee

Terms of Reference

FINAL Version 3.0

20 December 2019

Introduction

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

Local Advisory Committees are being established under the Fire and Emergency New Zealand Act 2017 to provide independent, community-focused advice directly to the Board of Fire and Emergency.

This document sets out Terms of Reference within which the [Local Area Name] Local Advisory Committee (the Committee) will be established and operate.

Role of LACs

Local Advisory Committees are appointed by the Board and operate as [committees](#) under the Crown Entities Act 2004.

Their role is to

- engage with communities across their local area to understand what matters to them, what the capabilities are and any specific risks and issues
- meet regularly to discuss and prepare independent advice for consideration by the Board.
- assist Fire and Emergency to educate communities about risk reduction and building resilience.

By providing a strong local perspective on what matters, LACs will enable Fire and Emergency NZ to

- plan for future service delivery
- better support communities to reduce risk, prepare for and respond to emergencies, and recover quickly when they happen.
- strengthen engagement between Fire and Emergency NZ and local communities.

Scope

The Board has set boundaries for LACs across New Zealand. The boundaries set by the Board generally align with existing the Civil Defence and Emergency Management (CDEM) boundaries. A map showing the [Local Area Name] Committee's boundary, and the boundaries of the other LACs is attached as Appendix A.

The Committee provides the Board with advice on behalf of all communities within its local area, in line with the Functions set out below.

The Committee does **not** have:

- 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

Functions of LACs

The legislative functions of LACs as defined in section 14 of the Act:

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

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

Local planning will be undertaken by Fire and Emergency on a three year cycle, and will identify: specific needs, resources, capabilities and constraints in the local area that are relevant to Fire and Emergency NZ's functions; local activities that address those needs; how the local allocation of resources by Fire and Emergency NZ aligns with the national plan.

c) To consider and promote the interests of the local area's Fire and Emergency NZ 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 NZ has and that are relevant to the local area in relation to which the Committee has responsibilities.

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

- i. Department of Conservation OSA
- ii. New Zealand Defence Force OSA
- iii. 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.

Operating principles

Each LAC must, in carrying out the functions, have regard to the operating principles developed by the Board under section 17 of the Act.

These operating principles are intended to guide the way that LACs operate (including how they engage with their communities and stakeholders) and their interactions with Fire and Emergency. They are different from Fire and Emergency's own operating principles,¹ which the Board has separately formulated under section 13 of the Act. Fire and Emergency's operating principles are not binding on LACs, but LACs should be familiar with them and are encouraged to conduct themselves in accordance with them.

¹ Te whakaōhonu i te oranga – Put safety, health and wellbeing first; Te matapopore tangata – Value people; Te whakatairanga whaiwātanga – Champion inclusion; Te whakapakari hapori – Strengthen communities; Kotahitanga – Work together; Anga whakamua – Drive change; Te whakahāngai taunakitanga – Be accountable.

The Local Advisory Committee operating principles are:

1. The Committee will operate, and members will conduct themselves, in accordance with terms of reference set by the Board.
2. The Committee will strive to be well-engaged, developing and maintaining excellent relationships across the local community with all interest groups and stakeholders, in order to understand and represent the community's values, and the risks and issues the community faces.
3. The Committee will be disciplined in carrying out its role with robust and transparent decision-making processes appropriate for a public forum.
4. Committee discussions will be open and constructive, and members will conduct themselves in a professional and respectful manner, working as a team and recognising that differences of opinion can bring greater clarity and lead to better common understanding.
5. Members are expected to prepare well and participate fully in all Committee discussions and activities and to bring the benefit of their individual community knowledge, skills and experience to the Committee.
6. Members will fulfil their role responsibly and lawfully (including by complying with obligations for the disclosure of interests), acting in good faith to ensure the Committee represents views that are in the best interests of the community, rather than the views of individuals or individual organisations.

Note: this is mandatory under ss62 to 72 of the Crown Entities Act, irrespective of what is in the operating principles. The requirements of the Crown Entities Act provisions should be reflected in the more detailed induction information prepared for LAC members

7. Members must not bring the Committee, Fire and Emergency, or the Board into disrepute.
8. Members must treat information, including personal information and information received in confidence, with care and use it only for proper purposes.
9. The Committee must be conscious that Fire and Emergency NZ is publicly funded and take appropriate measures to ensure the Committee uses its resources effectively and prudently.
10. The Committee will perform its functions by delivering an annual work programme agreed with the Board and by providing advice, by way of report, to the Board at least quarterly.

Key relationships

Board

The Board appoints the Committee Members, the Chairperson and Deputy Chairperson; the Committee is accountable to the Board.

The Committee is an advisory committee to the Board and will provide regular (at least quarterly) advice on behalf of their communities to the Board in an agreed form. They should be ready to clarify and elaborate on questions the Board may have in respect of that advice.

The Board will receive, acknowledge and have regard to advice from the Committee. The Board is responsible for ensuring the advice informs Fire and Emergency's local and national planning, and that the Committee is kept apprised of local planning.

Community stakeholders, interest groups and public

The Committee will develop and maintain a community stakeholder register of all key interest groups, entities and people in the community, and develop and operate a stakeholder networking and engagement plan. This will include identifying and maintaining good relationships with special interest groups such as Iwi.

The Committee has a high level of social responsibility to the local community it represents, and the networking and engagement plan will include annual public forums or other mechanisms to report to the local community on the activities of the Committee and the advice being provided to Fire and Emergency and to enable broad public feedback.

Responsibilities of Chief Executive and Management

The Chief Executive and Management will ensure the Committee is supported and provided with the necessary resources including good research and relevant information, administrative support and facilities to enable the Committee to be effective and efficient.

This will include:

- a) The appointment of a National LAC Manager to oversee and manage the day to day operation and support of the Local Advisory Committees and their activities in respect of liaison with and provision of advice to the Board
- b) The appointment of a LAC Liaison Advisor to support the Chair and Committee with: the annual work programme; stakeholder relations and engagement; research and information needs; meeting agendas; the development of advisory reports on local community values, priorities, risks and issues to the Board; and ensuring the necessary administration arrangements are in place.

Membership and appointments

Composition of the Local Advisory Committee

The Committee will comprise five to eight appointed members, or otherwise as approved by the Board.

Within the Committee

- A member will be appointed as the Chairperson by the Board.
- A member will be appointed as the Deputy Chairperson by the Board.

Terms of appointment and rotation of members

The term of appointment of a member will be for a period not exceeding three years, which the Board determines at the time of appointment.

On establishment members will be appointed for varying terms of one, two or three years, in order to create staggered annual rotation of the membership.

The Board may reappoint a member for further terms, generally not exceeding 6 consecutive years in total tenure, as the Board determines.

Management of interests

On appointment, all members will be asked to declare their interests in an Interests Register that will be maintained for the Committee. In accordance with s 65 of the Crown Entities Act, details must include the nature of the interest (including its monetary value, if any) and the extent of the interest.

Should a member's interests change, they should immediately inform the Committee Chairperson so that the register can be updated.

Members attend meetings and undertake Committee activities as independent individuals responsible to the Committee as a whole. Members are not appointed as representatives of professional organisations and interest groups. The Committee should not, therefore, assume that a group's interests have been considered because a member is associated with that group.

Members are required to declare any actual or perceived interests in respect of meetings, agenda items or any other aspects of the Committee's work, to the Committee Chairperson as soon as they become aware of them. The Chairperson will discuss the interest with the member and the Committee, and the Chair will ultimately determine whether the interest represents a conflict, and if so, what action should be taken to manage the conflict. All declarations and the management of any conflict will be recorded in each instance in the Interest Register

Further the Chair will ask members to provide updates to the Interests Register and to declare and discuss any actual or perceived interests at the start of each meeting.

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 an earlier or later date as determined by the Board.

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:

- has, for any reason, displayed an inability to perform the functions of that office; or
- has neglected their duties, including where the member's attendance, conduct, or performance at meetings of the Committee has not been satisfactory; or
- has failed to perform their functions in accordance with the operating principles developed by the board under section 17 of the Act; or
- 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.

Performance reporting will be provided to Board by the Secretariat function with input from the National Manager,

Accountability and performance

The Committee sets and agrees its annual work programme with the Board. The Committee will provide advice by way of a report (at least quarterly) to the Board based on its discussions, research, analysis and consultation with appropriate groups and organisations.

At the end of each financial year 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 will 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.

Operation of the LAC and meetings

- The Committee will operate according to the annual work programme with meetings, stakeholder engagement activities and reporting to the Board scheduled accordingly.
- Members are expected to make every effort to attend all LAC meetings.
- In the absence of the Chairperson, the Deputy Chairperson will chair the meeting.
- If neither the Chairperson or Deputy Chairperson are available and there is a quorum, members present can choose an acting Chairperson
- At least 50% of members must be in attendance for there to be a quorum.
- The Chairperson, on behalf of the LAC, may invite additional attendees such as stakeholders and others to discuss and provide advice on relevant matters.
- Fire and Emergency NZ will provide the secretariat for the Committee, which shall work with the Chairperson to:
 - schedule and arrange meetings
 - set and distribute agendas
 - record minutes and actions
 - keep appropriate records and as required by the Public Records Act 2005.
- At each meeting all recent stakeholder engagement and upcoming planned engagement by the Committee and individual Members will be reported on, discussed and recorded.
- The Chairperson will report to the Board on the Committee's engagement activities and agreed advice on local priorities, risks, and needs.

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 (19) 1 fees framework for members appointed to bodies in which the Crown has an interest. The level and basis for fees is set out in the Member 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 actual and reasonable out of pocket expenses incurred for travel, meals and accommodation. The basis for reimbursement is set out in the Member letter of appointment and all fees and expense claims will be subject to the approval of the Committee Chairperson or their delegate.

Funds will be allocated to the Committee for community engagement purposes. Any anticipated expenditure over and above that already allocated must be authorised by the Chairperson and approved by Fire and Emergency, prior to the engagement being undertaken.

Confidentiality

Local Advisory Committee members must 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 NZ.

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. 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.

Appendix A: Boundary

The map below shows the boundary for the [Local Area Name] Local Area Committee.

[insert map]