



Rural Advisory Panel Terms of Reference 2016 - 2019

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1. Introduction

The terms of reference for the Rural Advisory Panel set out the purpose, role and protocols of the Auckland Council Rural Advisory Panel for the 2016-2019 term of the council. Panel members must abide by the Code of Conduct for Members of Auckland Council Advisory Panels (Appendix A).

2. Purpose

As one of council's engagement mechanisms with the rural sector in Auckland, the Rural Advisory Panel provides advice to the council within the remit of the Auckland Plan on the following areas:

- council policies, plans and strategies relevant to rural issues
- regional and strategic matters relevant to rural issues
- any matter of particular interest or concern to rural communities.

3. Outcomes

The panel's advice will contribute to improving the outcomes of the rural sector as set out in the Auckland Plan. The panel will provide advice through its agreed work programme.

4. Work programme

The panel must develop a work programme for the term. The agendas should be focused and aligned with the Auckland Plan and the long-term plan.

5. Selection process

The mayor appoints panel members in consultation with the chair of the panel and council staff.

Panel members are selected on the basis of their:

- association with a rural sector group or organisation
- ability to provide expert advice on rural issues
- understanding of the rural sector of Auckland
- understanding of Te Tiriti O Waitangi.

Qualification of members is set out in Appendix B.

6. Membership

The panel will have between 15 and 21 members.

The panel may have up to five elected members to act as conduits to the governing body, local boards and the council's relevant committees.

The panel must have at least one member with lived experience in Te Ao Māori and knowledge of the contemporary issues facing Māori communities.

If the panel has less than 15 members, the council must appoint additional members to meet the minimum number of members.

The panel's term ends one month prior to the next local government elections in 2019.

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

If a member attends less than half of the panel meetings, breaches the Code of Conduct or otherwise under-performs in his/her duty as a member, the chair 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.

7. Meetings

The panel will meet two monthly and have a maximum of six scheduled meetings per year, at a time deemed convenient by the majority of members.

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

8. Quorum

The quorum required for a panel meeting will be half the members if the number of members is even, and a majority if the number of members is odd.

9. Meeting protocols

The panel does not have any decision-making power. Its role is to advise the governing body and council staff on regional and strategic matters.

The mayor appoints the chair, who is a councillor. The role of the chair is to lead the panel meetings. The chair is also the spokesperson for the panel when external organisations, including central government or the media, seek the views of the panel on specific matters. The chair can select a deputy chair who supports the chair to run regular meetings.

The panel may invite presentations from external organisations and individuals at their meetings if the topics are relevant to the panel's work programme. The chair must approve such external presentations in consultation with the lead support officer.

The resolutions in each meeting should clearly be shown in meeting minutes.

10. Submissions

The panel must not make formal submissions to Auckland Council on council strategies, policies and plans.

In its advisory role to the council, the panel may have input into submissions made by the council to external organisations but does 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.

11. Engagement with the Governing Body

The panel will forward any issues important to rural communities to appropriate council committees.

12. Panel resourcing

The council sets an annual budget for the panel.

Panel members are entitled to meeting fees determined by the council on the basis of the Auckland Council Fees Framework and Expenses Policy for Appointed Members, unless:

- they are on the panel as a representative of an organisation or interest group which already pays them and/or
- they are an elected member of Auckland Council or members of the Independent Māori Statutory Board.

The council will reimburse all members for travel costs to attend panel meetings, in line with the Expenses Policy.

13. Staff support

The panel is supported by the following council staff:

Lead Officer Support

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

Deputy Lead Officer Support

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

Principal Advisor Panels

- ensures appropriate processes and policies are in place for the panel

- co-ordinates progress reports on the panel's work programme with relevant council committees
- arranges the induction of members

Advisor Governance Support

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

14. Review

The form and functioning of the panel may be reviewed prior to or after, the end of the year 2019.

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 new 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 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:

- recognise that employees of Auckland Council or any other organisation providing advice or services to the panels
- 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 panel 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 panel 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 panel's 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

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

To be a member of the Panel, 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).

The following persons are disqualified from being members:

- a. a person who is under 18 years of age
- 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 person who is disqualified under another Act.