



Terms of Reference for the Gymnastics New Zealand Steering Committee

Dated: [x]

Draft dated 27 August 2021

These Terms of Reference (TOR) describe:

Part A: Gymnastics New Zealand Steering Committee (GNZSC) Objective and Structure.

Part B: GNZSC Powers and Scope

General Matters

1. This document details the TOR approved by the Gymnastics New Zealand (GNZ) Board (Board) following consultation, with the community, survivors, partners and other interested groups and individuals.
2. The Board is authorised to establish such committee through the powers of Article 15.15(h) of the constitution.
3. The GNZSC will cease operation in May 2023 or on such date as directed by the Board.
4. The TOR will remain in effect until May 2023 or until such time as agreed by the Board of GNZ with the input and recommendations of the GNZSC.
5. These TOR may be reviewed and amended by the Board at any time.

Part A: GNZSC Objectives and Structure

Objective

6. The GNZSC is being established to provide recommendations to the Board regarding possible solutions, changes to policies, procedures, and regulations necessary to give effect to the implementation of the recommendations identified in the Independent Review of Gymnastics New Zealand (Review). *See Part B.*
7. The GNZSC must seek, in all its activities, to embody the philosophy outlined in [GNZ's Statement of Commitment](#) and specifically, as they relate to the sections detailing:
 - a. The Survivors Voice;
 - b. Humans Rights; and
 - c. Our Community.

Authority of the GNZSC

8. The GNZSC is an advisory group to the Board, with no direct role in the implementation of the Review recommendations.
9. GNZSC has no authority to direct GNZ, its members or staff, employ staff, enter contracts, or make commitments or undertakings on behalf of GNZ or any of its members.

Membership of the GNZSC

10. The GNZSC comprises nine (9) members:
 - a. Independent Chair
 - b. A GNZ Board member or nominee.
 - c. A representative of Sport New Zealand (Sport NZ).

- d. Four (4) athletes/survivors
- e. A human rights advocate
- f. A children's advocate.

11. The CEO of GNZ will be an ex officio member of the GNZSC.

Appointment of Members

12. The GNZSC Appointments Panel will nominate candidates for appointment for the athletes/survivor, human rights advocate and children's advocate members to the Board, for the Board's consideration and approval.
13. The Independent Chair is appointed by the Board.
14. The GNZSC may also co-opt individuals or representatives of organisations to GNZSC, from time to time, where particular expertise or experience is required.
- a. Any co-option should last no more than three (3) months.
 - b. If a person is required to be co-opted for longer, the Board must approve a longer period of co-option.

Resignation, Removal and Replacement of Members

15. Any member of the GNZSC may resign from office at any time on seven (7) days written notice to the Chair of the Board.
16. The Board may remove a member of the GNZSC (either immediately or on such period of notice as the Board considers appropriate), on its own motion, or at the recommendation of the Chair of the GNZSC, if it considers that the member:
- a. is not satisfactorily performing their responsibilities as described in this TOR;
 - b. has a conflict of interest such that the Board believes the member is not capable of performing the responsibilities as described in this TOR;
 - c. is not, or has not, acted in the best interests of GNZ, whether as a member of the GNZSC or otherwise.
17. The Chair of the GNZSC may be removed by the Board by issuing a written notice, stating the date from which the removal of the Chair is effective.

Fees and Reimbursement

18. The remuneration of the Chair and other Members of GNZSC will be agreed with the Board, by reference to the cabinet fees framework for crown appointments.
19. All reasonable meeting expenses including flights and accommodation will be reimbursed by GNZ.
- a. All such expenses must be approved by the CEO of GNZ, before being incurred.
 - b. All expense refund requests must be supported by a GST receipt and approved by the CEO of GNZ.

Expectations of Members

20. All members are expected to act in good faith, with integrity and with reasonable care in performing their duties on behalf of the GNZSC.

21. All members will act professionally, respecting each other's and the organisation's interests.

Confidentiality

- 22. Members of the GNZSC may receive private personal information or confidential information on GNZ's business and other sensitive information.
- 23. Members of the GNZSC must apply the highest standards of confidentiality and not disclose to any person or company (whether during the course of the appointment or at any time after its termination) any confidential information which you come into contact by virtue of your position as a member of the GNZSC.
- 24. The work of the GNZSC may involve receipt of personal information. Members will make sure that the collection, use, disclosure, and storage of personal information in connection with the GNZSC is consistent with the Privacy Act 1993. These obligations continue beyond membership in the GNZSC.
- 25. On cessation of the appointment, members of GNZSC will securely destroy any personal or confidential information they hold as the result of their role with GNZSC.

Conflicts of Interest

- 26. Members should avoid situations that might compromise their integrity or otherwise lead to conflicts of interest.
- 27. The GNZSC will put in place appropriate procedures, including a register of interests, to ensure that any potential conflicts of interest are identified and mitigated effectively.

Public Communications

- 28. The GNZSC will conduct planned engagements with stakeholders as part of its work. The GNZSC Chair will approve all such engagements.
- 29. Members of the GNZSC require agreement from the Chair before communicating any aspects of the GNZSC's work in any public forum. This includes, but is not limited to, blogging, media engagement, and academic work.

Authority of the Chair

- 30. Where any uncertainty about the conduct of GNZSC members under these TOR, or matters of concern, these are to be referred to the Chair of the GNZSC for direction.

Administrative Matters

Accountability

- 31. The GNZSC is accountable to the Board.

Reporting Mechanisms

32. The GNZSC reports to the Board, through the Chair of the GNZSC.
33. The GNZSC receives information, regular reports, and issues for escalation on implementation matters from its various working groups and other sources as needed.
34. GNZ clubs and members along with GNZ executives and other organisations may also make direct submissions to the GNZSC following the approved process for such submissions.

Secretariat

35. GNZ will supply and resource a suitably qualified secretariat to support the GNZSC.

Meetings

36. If the Chair is unavailable to attend a meeting, they must nominate a member to act in their place.
37. Members may not delegate attendance at meetings.
38. A meeting quorum will be no less than six members of the GNZSC, including at least 2 athlete/survivor members and the Chair (or their delegate).

Agenda for Meetings

39. The Chair is responsible for the development of the meeting agendas.
40. Requests to list agenda items and papers should be received by the Secretariat at least one week before the meeting.
41. Papers will be distributed to members electronically at least three days prior to the meeting taking place.

Minutes

42. The Secretariat will prepare minutes of each meeting and record actions items.
43. Minutes and action items will be distributed electronically to members, and the Board, within one week of the meeting taking place.
44. Minutes and action items are to be approved by the Chair of GNZSC, prior to distribution.

Intellectual Property

45. Any report or work product produced by the GNZSC will be the property of GNZ.
46. GNZ at their discretion may use reports or other work products supplied or developed by in any way it feels is appropriate.
47. Nothing will affect the rights of a member or their employer in the intellectual property owned by that member or their employer prior to entering this engagement or developed by the member other than in the performance of this engagement.

Part B: GNZSC Powers and Scope

Tasks and Deliverables

48. GNZSC will seek to complete the following tasks and deliverables, within the indicated timeframes and budget.

Deliverable One: Work Plan

49. Develop a work plan that:

- a. Following analysis of the Review recommendations:
 - i. Identifies the scope and breadth of each recommendation,
 - ii. Identifies any recommendations that is considers to be outside of its or GNZ's capacity or capability to deliver on.
 - iii. Prioritises the recommendations to be addressed by GNZSC.
- b. Outlines the intended approach to each Review recommendation (or group of recommendations), including use of working groups, seeking advice from GNZ and/or external experts, as required.
- c. Outlines consultation and engagement processes to be used in formulating recommendations.
- d. Outlines a timeline for completing the stages of the work plan.

50. The work plan is to be approved by the Board.

51. This work plan is to be provided to the Board for its consideration as soon as possible, but no later than three months after the first meeting of the GNZSC.

52. For any Review recommendations identified in the work plan as being beyond the capacity or the fiscal scope of the GNZSC/GNZ response:

- a. an appropriate entity or stake holder should be identified.
- b. GNZSC should engage with that entity to seek to advance the recommendation in a more appropriate forum

Deliverable Two: Advice to Board on Response to Recommendations

53. Develop advice to the Board to guide GNZ's response to the prioritised Review recommendations (as identified in the work plan) (GNZSC Advice), including:

- a. Identifying and detailing the key strategies for implementation of the recommendations or their elements.
- b. Any suggested amendments to the regulations and or policies of GNZ to enable the implementation of the recommendations.
- c. Identify how a child first approach to safety and wellbeing will be supported by implementation of the recommended actions.
- d. Identifying mechanisms to ensure the review recommendations are supported across the organisation and member organisations. This could include recommendations regarding structure, delegations, policies and committee arrangements.
- e. Advice on other changes needed to ensure the system achieves GNZ's vision: *Growing Great New Zealanders*.
- f. The advice can include alternatives and options for the Board's consideration.

54. The GNZSC advice is to be accompanied by:
 - a. An outline of the budgetary impacts of GNZSC's recommended strategies and proposals.
 - b. Suggested metrics and performance indicators by which GNZ can assess the success of the responses.
55. The community engagement and consultation processes involved in completing deliverable two are to be outlined in the work plan.
56. This advice is to be provided to the Board for its consideration, as soon as possible, and no later than 12 months after the Board's approval of the work plan.

Approach

57. In undertaking its work, GNZSC will:
 - a. Take a participatory and independent approach.
 - b. Prioritise the experience of all those who engage with and participate in our gymnastic sports codes and sport environment.
 - c. Invite the wider athlete/survivor community to feed directly into the work of GNZSC and its work streams.
 - d. Undertake appropriate consultation with key stakeholder groups, including Sport NZ, members, athletes, survivors, administrators, coaches, and our wider community of participants.
 - e. Seek to find a sustainable, transparent, and measurable approach to implementing the recommendations.
 - f. Seek to "learn lessons from others" and adopt existing good practice, including:
 - i. considering the relevant international examples of best practice; and
 - ii. considering the relevant work programmes of related government agencies, including Sport NZ, High Performance Sport NZ, and the Regional Sport Trusts (RST's).
 - g. Seek alignment of implementation work across the gymnastic sports codes and GNZ.
 - h. Facilitate information sharing and discussion of key issues affecting the culture review implementation.
 - i. Consider issues such as organisational leadership and culture and their relationship to the implementation of the Review recommendations.
 - j. Consider the fiscal sustainability of its recommendations.
 - k. Be mindful of the principles of the Te Tiriti o Waitangi.
58. The GNZSC is empowered to:
 - a. Seek information and input as widely and from as many groups or individuals, as is deemed necessary.
 - b. Engage with the authors of the Review.
 - c. Engage with GNZ's partners, members, athletes, survivors and our wider community to facilitate its work.

Powers

59. GNZSC will:

- a. Control and work within the confines of the approved budget for its work.
- b. Meet as required to perform its duties and achieve the deliverables outlined in this TOR.

60. GNZSC can:

- c. Form or facilitate working groups appropriate to perform its duties.
 - i. Such working groups may be work stream or code specific.
 - ii. These can include cross-code working groups, e.g., training, coaching, etc.
 - iii. Develop TOR for any such working group, for approval by the Board.

61. GNZSC can, at the written direction of the Chair, request GNZ:

- a. Provide or appoint a dedicated resource, in a fixed term role, to further the work of GNZSC.
- b. Provide or commission advice (from within GNZ, or from external providers) to inform its work and recommendations.
- c. With the written agreement of the CEO of GNZ, second GNZ staff members to assist its work.

Additional matters

62. The Board may seek the GNZSC's advice and views on specific actions or proposals it is considering if these may have an impact/influence on the work of the GNZSC or as is thought necessary in the context of the Board's overall work plan.