

Terms of Reference for the Gymnastics New Zealand Steering Committee (GNZSC)



Dated: 25th October 2021

These terms of reference (TOR) describe:

Part A: GNZ Steering Committee (GNZSC) Objective and Structure.

Part B: GNZSC Powers and Scope

General matters

1. This document details the Terms of Reference 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 Terms of Reference 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 Terms of Reference may be reviewed and amended by the GNZ Board at any time.

Part A: GNZSC – objectives and structure

Objective

6. The GNZSC is being established to propose to the Board of GNZ 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 NZ* (the Review recommendations). *See Part B.*
7. The GNZSC must seek, in all its activities, to embody the philosophy outlined in GNZ's *Statement of Commitment (Appendix 1)* and specifically, as they relate to the sections detailing:
 - a. The Survivors Voice;
 - b. Humans Rights; and
 - c. Our Community.

Authority of GNZSC

8. The GNZSC reports directly 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 GNZSC

10. The GNZSC comprises nine (9) members:
 - a. Independent Chair

- b. Five (5) gymnast members
- c. A human rights specialist
- d. A child and youth specialist
- e. A representative of Sport New Zealand (SNZ).

(Please refer to the supporting documentation for the competencies and experiences of these roles).

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

Appointment of Members

12. The GNZSC Appointments Panel (SCAP) will nominate to the Board, candidates for appointment as the gymnast members, human rights specialist and child and youth specialist to the Steering Committee. The Board will accept the nominations as presented by the SCAP.

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. If co-opting someone onto the GNZSC, this must be within the available budget.
- b. The Board will be advised of any co-option. It will also be publicly announced.
- c. Any co-option should last no more than three (3) months. If a person is required to be co-opted for longer, the Board must approve a longer period of co-option.

Resignation, Removal & 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 of GNZ may remove a member of the GNZSC (either immediately or on such period of notice as the Board considers appropriate), on the joint recommendation of the Chair of the GNZSC and the Chair of the GNZ Board, 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; or
- c. is not acting, or has not acted in the best interests of Gymnastics NZ, whether as a member of the GNZSC or otherwise.

17. The Chair of the GNZSC may be removed by the Board of GNZ 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 by the Board, by applying the principles from the Cabinet Fees Framework for appointments in which the Crown has an interest.

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 regarding individuals, confidential information on GNZ or other businesses 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 and GNZ before communicating any aspects of the GNZSC's work in any public forum. This includes, but is not limited to, social media, blogging, media engagement, and academic work.

Authority of the Chair

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

Administrative matters

Accountability

31. The GNZSC is accountable to the GNZ Board.

Reporting Mechanisms

32. The GNZSC reports to the GNZ 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.

Secretariat and Support

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

36. GNZ will ensure appropriate resources are appointed to undertake and coordinate work for the GNZSC.

Meetings

37. If the Chair is unavailable to attend a meeting, they must nominate a GNZSC member to act in their place.
38. Members may not delegate attendance at meetings.
39. A meeting quorum will be no less than six members of the GNZSC, including at least 3 gymnast's members and the Chair (or their delegate).

Agenda for meetings

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

Minutes

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

Intellectual Property

46. Any report or work product produced by or for the GNZSC will be the property of GNZ.
 - a. GNZ at their discretion may use reports or other work products supplied or developed 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

GNZSC will direct and oversee the following tasks and deliverables, within the indicated timeframes and allocated GNZSC budget.

Deliverable One: Work Plan

48. Oversee the development of 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 considered 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 develop a response 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.
49. The work plan is to be approved by the Board.
50. 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.
51. The approved work plan will be publicly available.
52. For any Review recommendations identified in the work plan as being beyond the mandate or fiscal scope of GNZ's response:
 - a. an appropriate entity or stakeholder should be identified.
 - b. GNZSC should engage with that entity to seek to advance the recommendation in a more appropriate forum.

Deliverable Two: Proposals to Board on response to prioritised Review recommendations

53. Agree proposals to the Board to guide GNZ's response to the prioritised Review recommendations (as identified in the work plan), including:
 - a. Identifying and detailing the key strategies for implementation of the recommendations or their elements.
 - b. Identify how a child rights and safeguarding approach will support the implementation of the recommended actions.
 - c. 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.
 - d. Any suggested amendments to the regulations and or policies of GNZ to enable the implementation of the recommendations.
 - e. Advice on other changes needed to ensure the system achieves GNZ's vision: *Growing Great New Zealanders*.
 - f. The proposals can include alternatives and options for the Board's consideration.
54. The GNZSC proposals are to be accompanied by:
 - a. An outline of the budgetary impacts of GNZSC's proposed 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 as outlined in the work plan.

Delivery and transparency of proposals

56. These proposals are 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. Should a proposal not be accepted by the Board of GNZ, a written explanation will be provided to the GNZSC.

57. Specific proposals may be provided to the Board prior to this time, if GNZSC consider that to be appropriate.

58. With agreement of GNZ and GNZSC, proposals of the GNZSC approved by the Board will be made publicly available.

Approach

59. In undertaking its work, GNZSC will:

- a. be independent.
- b. take a participatory and trauma-informed approach.
- c. prioritise the experience of all those who engage with and participate in our gymnastic sports codes and sport environment.
- d. invite all survivors and those who have a lived experience of harm within gymnastics to feed directly into the work of GNZSC and its work streams.
- e. undertake appropriate consultation with key stakeholder groups, including gymnasts, survivors and those who have a lived experience of harm, and the range of roles within the gymnastics community including members, administrators, coaches, and our wider community of participants.
- f. seek to find a sustainable, transparent and measurable approach to implementing the Review recommendations.
- g. 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).
- h. seek alignment of implementation work across the gymnastic sports codes and GNZ.
- i. facilitate information sharing and discussion of key issues affecting the culture review implementation.
- j. consider issues such as organisational leadership and culture and their relationship to the implementation of the Review recommendations.
- k. consider the fiscal sustainability of its recommendations.
- l. take into account the principles of the Te Titiri o Waitangi.

Powers

60. 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.

61. GNZSC can:

- a. 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.
- 62. GNZSC can, at the written direction of the Chair, request GNZ to:
 - 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

- 63. The Board of GNZ 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 Boards overall work plan.