

REPORT 4
(1215/52/IM)

REVIEW OF THE DISABILITY REFERENCE GROUP TERMS OF REFERENCE AND A NEW APPROACH FOR ADVISORY GROUP REVIEWS

1. Purpose of Report

This paper presents revised terms of reference for the Disability Reference Group (DRG). It also proposes that advisory groups are included in the Council's governance structure and reviewed at the start of each new triennium after the local body elections.

2. Recommendations

Officers recommend that the Strategy and Policy Committee:

1. *Receive the information.*
2. *Note that the review of the Disability Reference Group has been undertaken as the group's terms of reference state they will be reviewed at least once every three years.*
3. *Recommend to the Council that it agree to:*
 - (a) *Adopt the attached terms of reference for the Accessibility Advisory Group (Appendix 1).*
 - (b) *A full review of all current advisory groups as part of the determination of the Council's governance structures following the October 2010 local body elections. This will ensure the Council has the appropriate advisory groups to support its strategic goals, and advisory groups are established with suitable terms of reference to ensure their work and relationship with Council is effective.*

3. Background

The review of the DRG has been undertaken as the group's terms of reference state they will be reviewed at least once every three years.

The Disability Reference Group is one of the longest standing Council advisory groups, having been established in 1996 to provide advice on issues that concern people with disabilities.

The group was last reviewed in June 2007. Minor changes were made to the group's terms of reference in that review to clarify operational issues and include clauses to encourage increased liaison between advisory groups, provide detail on review requirements for the group, and establish the group's quorum.

4. Discussion

4.1 Revised terms of reference for the Disability Reference Group

Changes provided in this review of the DRG's terms of reference are relatively minor but necessary to improve the functioning of the group and allow members to increase their contribution to Council activities, policy and planning.

The revised terms of reference highlight principles contained in guiding documents such as the *NZ Disability Strategy 2001* and the *UN Convention on the Rights of Persons with Disabilities* and state that the Council will work to ensure its policies, plans and projects use *people first language* (focusing on individuals, not disabilities) and consider the *social model of disability* that recognises people are disabled by barriers in society that exclude or prevent them from participating.

The revised terms:

- (a) **change the name of the group to the *Accessibility Advisory Group (AAG)*** – current DRG members requested the name of the group be changed to reflect that the advice they provide makes the city more accessible for everyone (not just people with disabilities). While 'accessibility' is a term that can cover a range of access issues (for example the impact of poverty), the revised terms specify that the group will provide advice from the perspective of people living with disabilities.
- (b) **clarify the group's purpose and role** – to focus on the group's primary role which is to provide feedback and advice from the perspective of people living with disabilities, on strategy and policy development, planning and service delivery across all the Council's strategy areas.
- (c) **provide role descriptions for the Chair/Co-chairs, members, the appointed Councillor and the Accessibility Advisor** – to clarify the roles and reduce role overlap.
- (d) **explain the role of advisory groups in the Council's decision making processes** – The terms provide basic information on the role of advisory groups in the Council's decision-making process. Greater information on the Council's policy and planning processes will be provided to members as part of new member induction and in annual presentations by the Policy Unit.

4.2 An Accessibility Action Plan

The Manager of City Communities and the Accessibility Advisor will work with AAG members to develop an Accessibility Action Plan to support the work of the AAG. The Action Plan will be scheduled on the SPC forward programme in the new triennium and negates the need to develop an Accessibility Policy at this time. Any additional financial implications will be considered as part of the Draft Annual Plan 2011/12.

4.3 Broader review of advisory groups

Reviews of four of the Council's five advisory groups are scheduled on the forward programme in 2010. Rather than maintain an ad hoc approach to reviewing advisory groups, it is recommended that reviews of Council's advisory groups are considered as part of Council's governance structures and undertaken alongside all Council committees and subcommittees early in the new triennium following the local body elections in October.

This approach will ensure the Council has the appropriate advisory groups to support its strategic goals, and advisory groups are established with suitable terms of reference to ensure their work and relationship with Council is effective.

4.4 Consultation and Engagement

Officers worked with members of the DRG to revise the current terms of reference. The suggested changes to the terms of reference are supported by the DRG.

4.5 Financial Considerations

There are no additional budget considerations included in the revised DRG terms of reference.

4.6 Climate Change Impacts and Considerations

There are no direct climate change considerations in the revised DRG terms of reference.

4.7 Long-Term Council Community Plan Considerations

Work undertaken as part of the Accessibility Action Plan may have implications for the Long-Term Council Community Plan, but there are no implications for the revised DRG terms of reference.

5. Conclusion

This paper presents minor but necessary changes to the Disability Reference Group's terms of reference and recommends a new approach to reviewing Council advisory groups to ensure they are aligned and can contribute to the Council's strategic goals for Wellington.

Contact Officer: *Aroha Rangi, Senior Policy Advisor*

Supporting Information

1) Strategic Fit / Strategic Outcome

The revised terms of reference support the Council's priorities of:

- Maintaining Wellington's inclusive culture
- Facilitating tolerance and inclusiveness
- Promoting participation in sport and recreation activities – by ensuring our services can be accessed by the whole community
- Facilitating a supportive environment for artistic and cultural expression
- Aim to maintain the transport network to ensure it remains efficient.

2) LTCCP/Annual Plan reference and long term financial impact

Proposed changes will not lead to any increase in capital or operational expenditure in the coming year.

3) Treaty of Waitangi considerations

The terms state that there should be an appropriate balance of men and women on the group as well as Māori on the group, acknowledging the role of Māori as tangata whenua.

4) Decision-Making

This is not a significant decision. The report provides information on minor but necessary changes made to the DRG terms of reference and recommends a change in approach to the review of all advisory groups to ensure they can contribute to the Council's strategic goals for Wellington.

5) Consultation

DRG members were consulted in the development of the revised terms of reference. Council is not required under legislation to consult on this matter.

6) Legal Implications

Changes proposed in the revised terms of reference are minor and have no legal implications.

7) Consistency with existing policy

Proposed changes are consistent with existing policy.

Wellington City Council Accessibility Advisory Group Terms of Reference – June 2010

1. Introduction

“Disability is not something individuals have. What individuals have are impairments...”

Disability is the process that happens when one group of people create barriers by designing a world only for their way of living, taking no account of the impairments other people have.”¹

NEW ZEALAND DISABILITY STRATEGY 2001

Wellington City Council will work to ensure its policies, plans and projects use **‘people first’ language** focusing on individuals, not disabilities and consider the **‘social model’ of disability** that recognises people are disabled by barriers in society (systems, attitudes, architecture, services) that exclude or prevent them from participating fully².

2. Purpose

The Accessibility Advisory Group (AAG) will provide feedback and advice on the Council’s strategy and policy development, planning and service delivery across all of the Council’s strategy areas from the perspective of people living with disabilities.

Background information on the position of the group in the work of the Council is included in **Appendix A**.

3. Role

The role of the AAG is to:

- provide feedback and advice to Council business units on strategy/policy development, planning and service delivery as and when required
- be an information conduit to and from the Council
- advise the Council on accessibility issues, trends and opportunities
- raise accessibility awareness and issues of national and international interest
- aid Council engagement and consultation with people with disabilities and the wider community on accessibility issues
- liaise and share information with other Council advisory groups
- submit ideas for new initiatives to be considered for inclusion in the Council’s Long Term Council Community Plan and Annual Plan
- where required, present submissions on Council’s plans and policies
- represent the broad spectrum of issues for people with disabilities in relation to the Council’s activities.

¹ *The New Zealand Disability Strategy: Making A World Of Difference Whakanui Oranga* (2001), Ministry Of Health, Wellington, New Zealand: p 8

² *Arts for all: opening doors to disabled people - Ngā toi mo te katoa: whakapuare tatu mo te hunga hauā*, Published by Creative New Zealand in partnership with Arts Access Aotearoa: p 56 and 57

APPENDIX 1

The AAG is an advisory group set up to inform the work and activities of the Council. It will not have the mandate or independent budget to commission work or undertake activities outside of this advisory role.

Role descriptions for the Chair and members of the AAG are attached in **Appendix B**. Role descriptions for the Accessibility Advisor and appointed Councillor are also included in Appendix B to provide clarity between the roles of each party.

4. Definitions/glossary of terms

A glossary of terms is included in **Appendix C**.

5. Membership

The group will have up to nine community advisory members. A role description for all members is included in **Appendix B**.

A Councillor will be appointed to the group to act as a liaison between the group and the Council's other elected members. The appointed Councillor, Accessibility Advisor and other officers of the Council are not members of the AAG but support the work of the group.

5.1 Criteria for membership

Members will:

- have the experience of living with a disability (personal experience or as a care giver/support person)
- be committed to regularly liaising with the range of organisations and communities supporting or including people with disabilities – providing information to these groups/people and seeking their feedback
- have a broad knowledge of accessibility as well as the needs and issues affecting people with disabilities
- be able to represent broad interests (i.e. not limited to the views of a specific organisation or disability)
- have good relationships and networks with a range of communities
- reside within Wellington City Council's boundaries.

There should be an appropriate balance of men and women on the group as well as Māori, senior citizens and youth representation. Representation from other ethnic communities is encouraged.

5.2 Chair/Co-Chairs

Members of the AAG will elect a Chair/Co-Chairs annually each year in October.

Members cannot be nominated or elected for Chair/Co-Chair if they are due to complete their three year term.

A role description for the Chair/Co-Chairs is included in **Appendix B**.

6. Term of Appointment

The standard term of appointment will be three years.

The term of appointment can be less than three years if a member:

- resigns, or
- misses three consecutive meetings without tendering an apology.

A member can apply to be appointed for a second term.

No member will be allowed to sit on the group for more than two consecutive terms.

6.1 Rolling membership

The AAG will have a rolling membership to ensure that the group has some experienced group members at all times.

If a member needs to resign before the end of their three year term, the Council will call for applications from people willing to complete the remaining time of that term. For example if a member needed to resign after one year of his/her three year term, the group will only appoint for the remaining two years (not another full three years).

7. Selection and Removal of Members

Recruitment for new members will be initiated by the Accessibility Advisor who will work with AAG members and the Manager of City Communities to determine any gaps in the group's membership.

If a member resigns from the group, the Council will work to fill any vacancies as soon as possible (see point **6.1 Rolling membership** to determine the appointment term for any new member replacing a member who has resigned).

7.1 Promotion and selection process

The Council will call for nominations using contacts with disability consumer groups, the Council's website and local print media. It will also promote the opportunity to sit on the AAG at annual community forums organised by the Council.

Applications will be reviewed and shortlisted by a selection panel consisting of:

- the Accessibility Advisor
- two members of the AAG
- one other Council officer.

The role description for members included in **Appendix B** will be used to facilitate the selection process. The Manager of City Communities will make the final decision about all appointments to the AAG.

8. Reporting / Accountability

The AAG will report to the appropriate Council committee every six months, outlining work undertaken with Council staff, the group's achievements and any issues it wishes the Council to consider further.

The names and details of all members of the group and minutes of the group's meetings will be available on the Council website.

The Accessibility Advisor and City Communities will be responsible for promoting AAG and Council initiatives to make Wellington City more accessible. Success stories/updates will be promoted as appropriate through a range of media including: the Accessibility Forum, Absolutely Positively Wellington print promotion, Council's web presence, Access Radio etc

9. Frequency of Meetings

The group will meet once a month. Members will be paid for 12 meetings a year.

Special meetings may be called if there is urgent business. Payment for these meetings will be at the discretion of the Manager of City Communities.

10. Operation

The Council's City Communities unit will be responsible for the maintenance and servicing of the group. It is also expected that members of Council's Policy Team will liaise closely with the group as well as officers from other business units, as and when required.

The Accessibility Advisor will work with other officers in the City Communities unit to compile agendas, write minutes and provide other administrative and advisory support to the group.

10.1 Member induction and training

All new members joining the AAG will receive an induction pack and information to explain the Council and the Accessibility Advisory Group's function and processes. The Accessibility Advisor with the City Communities unit will be responsible for the provision of the induction pack and induction process for all new members.

Members will receive an annual presentation to explain the Council's strategy and policy planning process and the Council's forward programme. Other training for members will be provided as required at the discretion of the Manager of City Communities.

APPENDIX 1

10.2 Conflict of interest

Members will be asked to complete a conflict of interest form when they join the group and at the beginning of each year they sit on the group. The Accessibility Advisor will be responsible for providing members with a conflict of interest form as part of new member induction packs and to all members at the beginning of each year.

11. Quorum

Half of the positions currently filled, not including vacant positions, must be present for the group to have a quorum.

12. Payment

Members will be paid \$110 for up to 12 meetings they attend of the full AAG.

The Chair will be paid \$150 for every meeting of the full AAG attended. If the group decides to have more than one member in the role of Chair, the additional \$40 available to the Chair will be split between the Co-Chairs.

Payment for any special meetings will be at the discretion of the Manager of City Communities.

12.1 Support funds to enable participation

Members will be reimbursed for travel expenses required to allow members to travel to and from the 12 set meetings per annum. Members will not be reimbursed for subgroup meetings.

If a support person is required for a member to fully participate in the group's discussions, the Council can pay this person up to \$40 per hour. Payment will be at the discretion of the Manager of City Communities.

Payments will not be made to members to provide care for children or other family members to allow attendance at AAG meetings.

The Council will ensure meeting venues are fully accessible with accessible toilets and that other required assistance (such as New Zealand Sign Language interpreters) is available.

13. Conflict Resolution

Should conflict occur, the Chair/Co-Chairs and the group will be responsible for working together to resolve the conflict in the first instance. If the conflict persists, the Council will only intervene at the request of the majority of the group's members.

14. Review

Council advisory groups will be reviewed alongside all Council committees and subcommittees early in the new triennium following a local body election.

Advisory groups will be established to support the Council's strategic goals. Suitable terms of reference will then be developed to ensure the group's work and relationship with Council is effective. All new advisory groups and their terms of reference will be subject to the approval of the Council.

Appendix A: BACKGROUND INFORMATION

The Council – elected representatives and staff

Wellington City Council has two key roles under the Local Government Act 2002 to:

- promote the social, cultural, environmental and economic well-being of Wellington and its people
- facilitate democratic local decision making.

The Council is made up of 15 elected representatives – the Mayor and 14 Councillors. They set the city's overall strategic direction, and approve budgets, policies and plans aimed at achieving that direction. A key part of their role is to listen and consider the views of the community before making decisions.

The elected representatives are supported by the Council's chief executive and 1,450+ staff, who provide advice, implement Council decisions and look after the city's day to day operations³.

The Accessibility Advisory Group

The Accessibility Advisory Group (formerly known as the Disability Reference Group) is one of the longest standing Council advisory groups, having been established in 1996 to provide advice on issues that concern people with disabilities.

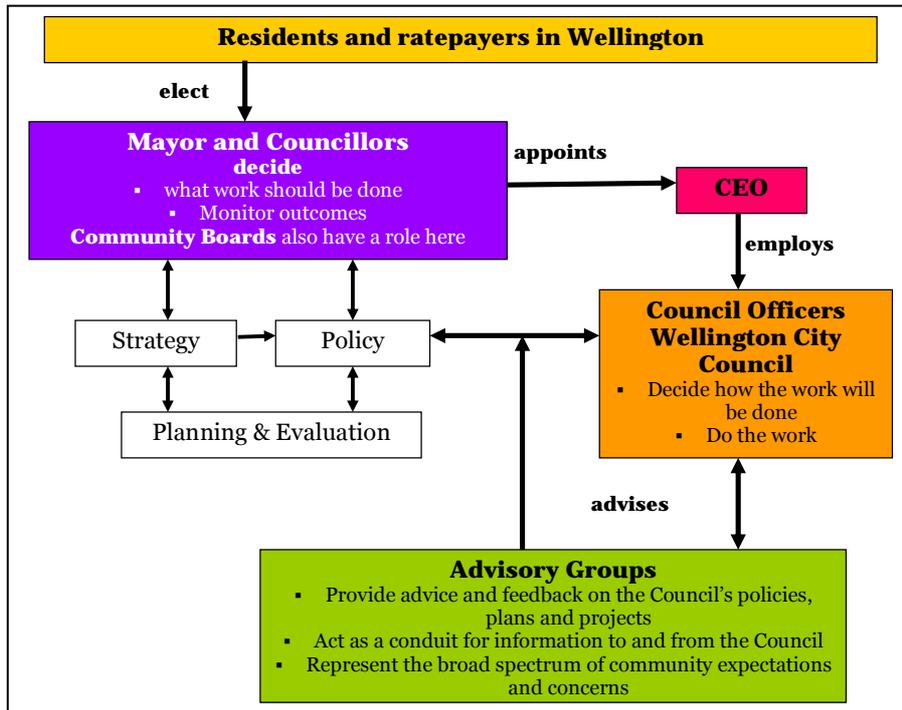
Advisory groups⁴ have been established on a case-by-case basis to provide advice to the Council on a broad range of issues from the perspective of a particular community. They provide preliminary feedback on Council planning, projects and policy development. Members act as conduits for information from and to specific communities. **Table 1** shows the relationships between Advisory Groups, Council staff, policy/strategy and the decision makers – the Mayor and Councillors.

³ Wellington City Council's Long Term Council Community Plan 2009-19 Page 4

⁴ The Council currently has five advisory groups: Environment Reference Group (ERG), Pacific Advisory Group (PAG), The Youth Council, Safe And Sustainable Transport Reference Group (SASTRG – formerly known as the Road Safety Reference Group) and the Accessibility Reference Group.

APPENDIX 1

Table 1: The position of Advisory Groups in the Council's decision making process



Appendix B: ROLE DESCRIPTIONS – CHAIR, MEMBERS, THE ACCESSIBILITY ADVISOR AND COUNCILLOR

The Chair/Co-Chairs

- acts as the group's principle spokesperson and contact point with the Council (including officers and the appointed Councillor)
- facilitates open communication where all members can contribute to conversations
- promotes informed dialogue
- doesn't allow individuals or sub-groups to dominate the meeting
- manages meetings to enable considered yet efficient decision making
- sets parameters for the discussion
- summarises the conversation and provides direction.

The Chair/Co-Chairs will ensure that the advice provided by the group is communicated by:

- signing off minutes
- liaising with the appointed Councillor and officers – especially the Accessibility Advisor, the Manager of City Communities and other key staff in relevant business units across the Council.

Members

- provide advice on the development and implementation of the Council's policies, projects, planning and service delivery
- liaise regularly with the range of organisations and communities supporting or including people with disabilities – providing information to these groups/people and seeking their feedback
- liaise with officers – the Accessibility Advisor, Manager of City Communities and other relevant officers across the Council
- actively participate in meetings
- maintain a broad knowledge of accessibility as well as issues affecting, and opportunities for people with disabilities
- represent broad interests and a 'pan-disability' perspective (i.e. not limited to the views of a specific organisation or impairment)
- have good relationships and networks with a range of communities

City Communities unit and the Accessibility Advisor

The Council's City Communities unit will be responsible for the administration and promotion of the group.

City Communities and the Accessibility Advisor will:

- work with members of the AAG to develop an Accessibility Action Plan
- ensure officers presenting to the AAG are informed of, and present information to the group, in accordance with the AAG's presentation guidelines
- liaise with other units of Council to ensure the AAG receives feedback on advice provided to Council officers

APPENDIX 1

- induct new AAG members, provide conflict of interest information and forms for members to complete, compile agendas, write minutes and provide other administrative and advisory support to the AAG.

The Accessibility Advisor is not a member of the AAG. The advisor's role is to:

- develop effective networks and relationships across the disability community and wider disability sector
- act as a key Council contact point for accessibility (and disability) questions, concerns and information brokering
- work across Council business units to ensure accessibility is considered in the development and implementation of policy, strategy, planning and service delivery in the city.
- support the AAG with forward programme management and liaison with business units
- enable other business units to develop effective working and consultation relationships and practices to address accessibility issues
- organise Accessibility Forums
- ensure that issues raised by the forums, the community and the AAG are addressed either by initiating projects or by coordinating with other Council business units
- provide advice, support and information (on gaps and trends) to the Council about accessibility and the issues affecting disability communities
- work towards keeping a safe and healthy work environment by practising safe work methods, reporting all incidents, identifying work place hazards and using appropriate safety equipment

The Elected member/Councillor

The Councillor appointed to the AAG is not a member. The Councillor's role is to:

- act as a liaison between the Council and the Accessibility Advisory Group
- provide information/advice on the Council's political process and agreed Council policy where required and requested by the group.

APPENDIX 1

Appendix C: Glossary of terms

- Accessibility** A general term used to describe the degree to which a product, device, service or environment is accessible by as many people as possible.⁵
Physical access (e.g. ramps, toilets, parking, hearing loops) is the most obvious way of improving access but people's attitudes and actions are also very important.⁶
- Disability** The New Zealand Disability Strategy (NZDS) describes disability as a process that occurs when 'one group of people create barriers by designing a world only for their way of living, taking no account of the impairments other people have'. 'Impairments' include physical, sensory, neurological, psychiatric, intellectual and any other impairment, and encompass people with permanent, intermittent, temporary and perceived impairments.⁷
- People first** A worldwide advocacy movement that focuses on individuals, not a disability. It uses people-first language.⁸
- Social model** A view of disability that recognises people are disabled by barriers in society (systems, attitudes, architecture, services) that exclude or prevent them from participating fully.⁹

Key Guiding Documents

- **NZ Disability Strategy 2001** - <http://www.odi.govt.nz/nzds>
- **UN Convention on the Rights of Persons with Disabilities** - (New Zealand signed this in 2007. It was ratified in 2008) - <http://www.un.org/disabilities>
- **Human Rights Act 1993** - http://www.legislation.govt.nz/act/results.aspx?search=ts_act_human+rights_resel&p=1

⁵ Definition provided in Wikipedia, the free encyclopaedia.

⁶ *Arts for all: opening doors to disabled people* - *Ngā toi mo te katoa: whakapuare tatu mo te hunga hauā*, Published by Creative New Zealand in partnership with Arts Access Aotearoa: p 2

⁷ *An Action Plan for Human Rights Mana ki te Tangata*, Chapter 5: The rights of disabled people Ngā tika o te hunga haua <http://www.hrc.co.nz/report/chapters/chapter05/disabled01.html>

⁸ As above - *Arts for all: opening doors to disabled people*

⁹ As above - *Arts for all: opening doors to disabled people*