

Updated Terms of Reference for GCCRS Advisory Committee

June 2019

A. Background

1. The Greater Christchurch Claims Resolution Service (the GCCRS) has been established to support the resolution of insurance claims related to the Christchurch Earthquake sequence. GCCRS provides independent advisory and resolution services to residential homeowners who have outstanding or potential insurance claims in the Greater Christchurch area related to the Christchurch earthquake sequence.
2. These are the terms of reference (ToR) for the oversight of the Greater Christchurch Claims Resolution Service Advisory Committee (the Advisory Committee).

B. Objective

3. The objective of the GCCRS is to:
 - a. achieve a fair and just resolution for customers consistent with either the Earthquake Commission Act or the applicable insurance policy and the relevant legal principles (including legislation, case law and natural justice); and
 - b. assist with the psychosocial recovery and wellbeing of the homeowner during the resolution of the claim.

C. Principles of the GCCRS

4. The following principles underpin the functioning of the GCCRS:
 - a. Independence: the GCCRS is independent from EQC and insurance companies;
 - b. Customer-centricity: the customer will be supported by the GCCRS in the assessment, management and resolution of their insurance claim;
 - c. Transparency: subject to members' obligations around privacy and confidentiality, the GCCRS will be open with processes, decision making and communication with customers;
 - d. Flexibility: in outcomes and processes for achieving those outcomes;
 - e. Timeliness: the processes of the GCCRS will support the prompt settlement of outstanding insurance claims wherever reasonably possible;
 - f. Well-being: the successful resolution of an insurance claim includes facilitation of the psychosocial recovery and wellbeing of the owner.

D. Role of the Advisory Committee

5. The Advisory Committee provides a forum for GCCRS-related matters and issues to be discussed, and for solutions to be facilitated, where necessary.

6. The role of the Advisory Committee includes providing advice and recommendations on GCCRS which may include:
 - a. the quality, efficiency and effectiveness of the GCCRS;
 - b. service improvements and ways to enhance the user experience.
7. The Advisory Committee will work closely with the four Advisory Groups (Legal, Homeowner, Engineering and Wellbeing), allocating projects where appropriate and seeking feedback on GCCRS-related issues.
8. MBIE is responsible for the overall governance of the GCCRS; maintaining oversight of service performance and improvements, progress against objectives, and reports to the Minister for Greater Christchurch Regeneration.
9. The Advisory Committee may report to MBIE or the Minister for Greater Christchurch Regeneration on matters relating to the GCCRS.
10. Unforeseen issues may emerge as GCCRS operations continue. Therefore there may be a need to update the ToR to ensure it is still fit for purpose. This ToR can only be amended via resolution and agreement by the Advisory Committee.

E. Membership

11. The Advisory Committee will be made up of the following members:
 - The Chair of the Homeowner Advisory Group;
 - The Chair of the Wellbeing Advisory Group;
 - The Chair of the Engineering Advisory Group;
 - The Chair of the Legal Advisory Group;
 - A senior representative from MBIE;
 - A senior representative from Treasury.
12. The Chair of the Advisory Committee will be a senior official from MBIE, the agency responsible for the GCCRS. This position will be reviewed every twelve months.
13. This ToR does not bind any party or individual organisation. Participating agencies will retain their own accountability and decision rights. Nothing in this ToR shall make any party liable for the actions of the other or constitute any legal relationship between the parties.
14. The Advisory Committee can invite other interested parties to attend meetings. Attendees will be able to participate in discussions at the direction of the Advisory Committee, but will not have a vote in the terms of clause 26.

F. Protocols

15. The members agree that in dealing with each other, and in dealings with homeowners, they will abide by the following principles and professional standards of behaviour:
 - a. Be open, frank, honest, prompt, fair and consistent;
 - b. Seek constructive steps to avoid differences and identify solutions;

- c. Be ready to discuss issues in an open and collaborative manner;
- d. Prioritise the GCCRS over individual entities interests where not inconsistent with legal obligations.

16. The parties will develop and maintain a reciprocal relationship of support and will work constructively and on a “no-surprises” basis. In particular, the parties will keep each other apprised of any potential contentious events or issues in a timely manner.

G. Funding

17. MBIE will enter into separate funding agreements with each member as required.

18. The parties agree to annually review the on-going funding needs of the Advisory Committee and work with MBIE to evaluate whether funding remains appropriate.

H. Conflict

19. The members of the Advisory Committee will disclose any potential or perceived conflict of interest to the other members of the Advisory Committee. The Advisory Committee will decide the best way for conflicts to be managed, including members withdrawing from decisions associated with the conflict of interest. In the event that a member withdraws, a different representative from the organisation can attend in their place provided there is no conflict of interest in them doing so.

I. Administration

20. If the Chair is unable to attend a meeting, they will delegate responsibility.

21. Quorum will be four members, plus the Chair.

22. The Chair is responsible for preparing and distributing a written agenda at least two working days before the meeting.

23. Agreements of the Advisory Committee can be made without a meeting with the written approval of at least seven of the members of the Advisory Committee.

24. The draft minutes of meetings will be circulated to all members within 10 working days of the meeting.

25. Minutes will be published by the Advisory Committee within 20 working days of the meeting.

26. The members shall endeavour to make proposals by consensus, however a majority of votes will be sufficient in the event that a consensus is not possible. In the event of a tie in votes, the Chair shall have the casting vote.

27. Secretariat support will be provided by the GCCRS.

28. The ToR will be reviewed annually and agreed by members.