

Terms of Reference for GCCRS Advisory Committee

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 legislation and case law; 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 issues;
 - 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 is accountable and responsible for providing oversight of the GCCRS.
6. The role of the Advisory Committee includes, but is not limited to:

- a. Representing and prioritising the greater government good over individual agency benefits and requirements in all decision making and recommendations;
 - b. Oversight of the GCCRS service performance against stated principles, objectives and the Customer Charter;
 - c. Providing co-ordinated advice and recommendations on service improvements;
 - d. Reporting to MBIE and Treasury and the Minister for Greater Christchurch Regeneration on matters relating to the GCCRS;
 - e. Allocating projects to the four Advisory Groups (Legal, Homeowner, Engineering and Wellbeing).
7. Unforeseen issues may emerge as the GCCRS moves past the establishment phase and into operations. 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

8. 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 EQC;
 - A senior representative from Southern Response;
 - A senior representative from MBIE;
 - A senior representative from Treasury.
9. 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 six months.
10. 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.

F. Protocols

11. 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.
12. 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

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

14. 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

15. 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

16. If the Chair is unable to attend a meeting, they will delegate responsibility.
17. Quorum will be four members, plus the Chair.
18. The Chair is responsible for preparing and distributing a written agenda at least two working days before the meeting.
19. 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.
20. The draft minutes of meetings will be circulated to all members within 10 working days of the meeting.
21. 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.
22. A summary of meeting minutes will be published by the Advisory Committee within 20 working days of the meeting.
23. Secretariat support will be provided by the GCCRS.
24. The ToR will be reviewed annually and agreed by members.