

Terms of Reference for the Cycling Integrity Steering Committee (CISC)

Dated: 18 August 2022

These terms of reference (TOR) describe:

Part A: Cycling Integrity Steering Committee (CISC) Objective and Structure

Part B: CISC Powers and Scope

General Matters

1. This document details the Terms of Reference approved by the Cycling New Zealand (CNZ) Board ('Board') following consultation with the community, athletes, partners and other interested groups and individuals.
2. The Board is authorised to establish such committee through the powers of Article 3(o) and 23.1) of the constitution.
3. The CISC will cease operation in December 2023 or on such date as directed by the Board.
4. The Terms of Reference will remain in effect until December 2023 or until such time as agreed by the Board of CNZ with the input and recommendations of the CISC.
5. These Terms of Reference may be reviewed and amended by the CNZ Board at any time.

Part A: CISC - Objectives and Structure

Objective

6. The CISC is being established to provide oversight of CNZ's actions in response to the 2022 Inquiry Recommendations. Further to this to propose to the Board; possible solutions, changes to policies, procedures, as necessary to give effect to the implementation of the recommendations identified in the Cycling New Zealand & High Performance Sport New Zealand Inquiry (the Inquiry recommendations). See Part B.
7. The CISC must seek, in all its activities, to embody the philosophy outlined in CNZ's Statement of Commitment TBC (Appendix 1) and specifically, as they relate to the sections detailing:
 - a. Athlete Voice;
 - b. Humans Rights; and
 - c. Our Community

Authority of CISC

8. The CISC reports directly to the Board, with no direct role in the implementation of the Inquiry recommendations.

9. CISC has no authority to direct CNZ, its members or staff, employ staff, enter contracts, or make commitments or undertakings on behalf of CNZ or any of its members.

Membership of CISC

10. The CISC comprises five (5) members:
 - a. Independent Chair
 - b. Two (2) athlete members
 - c. A person nominated by Cycling NZ (CNZ)
 - d. A person nominated by Sport New Zealand (SNZ)
11. The Transformational Director of CNZ will be an ex officio member of the CISC.

Appointment of Members

12. The Independent Chair is appointed by the Board and endorsed by SNZ.
13. The Independent Chair, CNZ and SNZ will nominate to the Board, candidates for appointment for the CISC. The Board will accept the nominations as presented.
14. The CISC may also co-opt individuals or representatives of organisations to CISC, from time to time, where particular expertise or experience is required.
 - a. If co-opting someone onto the CISC, 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 CISC may resign from office at any time on seven (7) days written notice to the Chair of the Board.
16. The Board of CNZ may remove a member of the CISC (either immediately or on such period of notice as the Board considers appropriate), on the joint recommendation of the Chair of the CISC and the Chair of the CNZ Board, if it considers that the member:
 - a. has become incapable of performing, or 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 Cycling NZ, whether as a member of the CISC or otherwise.
17. The Chair of the CISC may be removed by the Board of CNZ 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 CISC 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 CNZ.

- a. All such expenses must be approved by the Transformational Director of CNZ, before being incurred.
- b. All expense refund requests must be supported by a GST receipt and approved by the Transformational Director of CNZ.

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

Confidentiality & Anonymity

22. The CISC may take into account information from anonymous sources, or received upon condition of anonymity, provided that the CISC shall give the information such weight in its deliberations as it considers to be fair and reasonable. Any anonymous information relied upon by the CISC or referred to in any report of its proceedings shall be identified as such. Factors to be considered in determining how the information shall be treated by the CISC may include whether the source of the information was identified to the members of the CISC on a confidential basis and other circumstances affecting the reliability of the information.
23. Members of the CISC may receive private personal information regarding individuals, confidential information on CNZ or other businesses and other sensitive information.
24. Members of the CISC 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 received by them by virtue of their position as a member of the CISC.
25. The work of the CISC may involve receipt of personal information. Members will make sure that the collection, use, disclosure, and storage of personal information in connection with the CISC is consistent with the Privacy Act 2020. These obligations continue beyond membership in the CISC.
26. On cessation of the appointment, members of CISC will securely destroy any personal or confidential information they hold as the result of their role with CISC.

Conflicts of interest

27. Members should avoid situations that might compromise their integrity or otherwise lead to conflicts of interest.
28. The CISC 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

29. With the prior approval of the Chair, the CISC will conduct planned engagements with stakeholders as part of its work.
30. Members of the CISC require agreement from the Chair and CNZ before communicating any aspects of the CISC'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

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

Administrative Matters

Accountability

32. The CISC is accountable to the CNZ Board.

Reporting Mechanisms

33. The CISC reports to the CNZ Board, through the Chair of the CISC.
34. The CISC receives information, regular reports, and issues for escalation on implementation matters from its various working groups and other sources as needed.
35. CNZ clubs and members along with CNZ senior leaders and staff and other organisations may also make direct submissions to the CISC.

Secretariat and Support

36. CNZ will supply and resource a suitably qualified secretariat to support the CISC.
37. CNZ will ensure appropriate resources are appointed to undertake and coordinate work for the CISC.

Meetings

38. If the Chair is unavailable to attend a meeting, they must nominate a CISC member to act in their place.
39. Members may not delegate attendance at meetings.
40. A meeting quorum will be no less than three members of the CISC, including the Chair (or their delegate).

Agenda for meetings

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

Minutes

44. The Secretariat will prepare minutes of each meeting and record actions items.
45. Minutes and action items will be distributed electronically to members, and the Board, within one week of the meeting taking place.

46. Minutes and action items are to be approved by the Chair of CISC, prior to distribution.

Intellectual Property

47. Subject to confidentiality considerations as provided at cl 22-25 above, any report or work product produced by or for the CISC will be the property of CNZ.
 - a. CNZ at their discretion may use reports or other work products supplied or developed in any way it feels is appropriate.
48. 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: CISC – Powers and Scope – Tasks and Deliverables

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

Deliverable One: The primary deliverable is the Work Plan oversight

1. Oversee the completion and implementation of a work plan that:
 - a. Following analysis of the Inquiry recommendations:
 - i. Identifies the scope and breadth of each recommendation.
 - ii. Identifies any recommendations that is considered to be outside of its or CNZ's capacity or capability to deliver on.
 - iii. Prioritises the recommendations to be addressed by CISC and/or CNZ.
 - iv. Notes that a number of the recommendations are attributable to both CNZ and High Performance Sport, and these need to be assessed and an approach identified for implementation.
 - b. Outlines the intended approach to develop a response to each Inquiry recommendation (or group of recommendations), including use of working groups, seeking advice from CNZ and/or external experts, as required.
 - c. Outlines a timeline for completing the stages of the work plan.
2. The work plan is to be approved by the Board.
3. 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 CISC.
4. The approved work plan will be publicly available.
5. For any Inquiry recommendations identified in the work plan as being beyond the mandate or fiscal scope of CNZ's response:
 - a. an appropriate entity or stakeholder should be identified.
 - b. CISC should engage with that entity to seek to advance the recommendation in a more appropriate forum, in consultation with CNZ.

Deliverable Two: Proposals to the Board on response to prioritised Integrity recommendations

6. Agree proposals to the CNZ Board, as/if required, to guide CNZ's response to the prioritised Inquiry recommendations (as identified in the work plan), including:
 - a. Ensuring completeness in the strategies for implementation of the recommendations or their elements.
 - b. Ensure that an athlete rights, voice and safeguarding approach are central to the recommended actions.
 - c. Identifying mechanisms to ensure the Integrity recommendations are supported across the CNZ organisation, member organisations and partner organisations. This may include recommendations regarding structure, delegations, policies and committee arrangements.
 - d. Suggesting amendments to the regulations and or policies of CNZ to optimise the implementation of the recommendations.
 - e. Advise on other changes needed to facilitate improvements to the wider system and to assist achieve CNZ's strategy and vision.
 - f. The proposals may include alternatives and options for the Board's consideration.

7. The CISC proposals that are outside of the Work Plan are to be accompanied by:
 - a. An outline of the budgetary impacts of CISC's proposed strategies and proposals.
 - b. Suggested metrics and performance indicators by which CNZ can assess the success of the responses.
 - c. The community engagement and consultation processes involved in completing Deliverable Two as outlined in the work plan.

Delivery and transparency of proposals

8. 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 CNZ, a written explanation will be provided to the CISC.
9. Specific proposals may be provided to the Board prior to this time, if CISC consider that to be appropriate.
10. With agreement of CNZ and CISC, proposals of the CISC approved by the Board will be made publicly available.

Approach

11. In undertaking its work, CISC will:
 - a. be independent.
 - b. take an athlete focused, participatory and trauma-informed approach.
 - c. prioritise the experience of all those who engage with and participate in cycling sports codes and sport environment.
 - d. invite survivors and those who have a lived experience of harm within cycling to feed directly into the work of CISC and its work streams.
 - e. undertake appropriate consultation with key stakeholder groups, including cyclists, survivors and those who have a lived experience of harm, and the range of roles within the cycling community including members, administrators, coaches, and our wider community of participants.

- f. seek to find a sustainable, transparent, and measurable approach to implementing the Inquiry 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, National Sport Organisations, and the Regional Sport Trusts (RST’s).
- h. seek alignment of implementation work across the cycling sports codes and CNZ.
- 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 Integrity recommendations.
- k. consider the fiscal sustainability of its recommendations.
- l. take into account the principles of the Te Titiri o Waitangi.

Powers

- 12. CISC 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.
- 13. CISC 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.
- 14. Having regard for CNZs limited resources, CISC can, at the written direction of the Chair, request CNZ to:
 - a. Provide or appoint a dedicated resource to further the work of CISC.
 - b. Provide or commission advice (from within CNZ, or from external providers) to inform its work and recommendations.
 - c. With the written agreement of the CEO of CNZ, second CNZ staff members to assist its work.

Additional matters

- 15. The Board of CNZ may seek the CISC’s advice and views on specific actions or proposals as is thought necessary in the context of the Boards overall work plan and shall seek the CISC’s advice and views on specific actions or proposals it is considering if these may have an impact/influence on the work of the CISC that is not contemplated by these ToR.