

Appendix One – Amendments to the Code of Conduct

To be inserted in Part 3 – Queenstown Lakes District Council Code of Conduct:

“Alleged Breaches of Code of Conduct or Standing Orders

All alleged breaches of the Code of Conduct or Standing Orders will be reported to the Mayor and the Chief Executive.

Before a formal complaint alleging a breach of Standing Orders or the Queenstown Lakes District Code of Conduct is made, the Mayor may first seek to mediate a solution. Where a solution is agreed between the Mayor and the member who is the subject of the allegation, the matter will not be referred to the Elected Member Conduct Committee.

Any formal complaint alleging a breach of a code of conduct must be in writing, make a specific allegation of a breach of the code of conduct, and provide corroborating evidence.

On receipt of a complaint from the Mayor or the Chief Executive, the Elected Member Code of Conduct Committee will investigate the alleged breach and prepare a report for the consideration of the Council. Before beginning any investigation, the Chair or Deputy Chair of the Elected Member Code of Conduct Committee will notify the elected member(s) in writing of the complaint and explain when and how they will get the opportunity to put their version of events.

The Chair or Deputy Chair of the Elected Member Code of Conduct Committee will report to Council whether or not the complaint is upheld, and recommended actions (if any).

The Council will consider the report in an open meeting of the Council, except where the alleged breach relates to the misuse of confidential information or could breach the privacy of a member of staff or of the general public.

Responses to Breaches of the Code

The exact nature of the action the Council may take depends on the nature and seriousness of the breach. After consideration of the report of the Elected Member Conduct Committee, the Council may take no further action or may take any of the following actions as it considers appropriate:

- (a) Refer the determination of the Elected Member Conduct Committee to the Office of the Auditor General and/or the New Zealand Police or other appropriate public body;
- (b) Censure;
- (c) Reconstitution of a Committee or Subcommittee of Council to effect removal of the elected member (either permanently or temporarily);
- (d) Dismissal of the elected member from a position as Deputy Mayor or Chair of a committee;
- (e) Dismissal of the elected member from appointment to any other representative bodies (either permanently or temporarily);
- (f) For breaches of the Code of Conduct in relation to electronic resources or communications, removal of Council owned computer/electronic equipment and termination (either permanently or temporarily) of access to any electronic resources of Council.

A decision to apply one or more of these actions requires a Council resolution to that effect by no less than a seventy-five percent majority of those present.”