

# NGĀ PAEARU MAHI/TERMS OF REFERENCE: CONDUCT REVIEW COMMITTEE



## NGĀ MEMATANGA/MEMBERSHIP

His Worship the Mayor (except where there is a potential conflict of interest where the Mayor will stand aside and another elected member will be selected for the committee for that matter), 2 independent members

## TE KŌRAMA/QUORUM

3 committee members

## NGĀ WĀ HUI/MEETING FREQUENCY

As required

## TE KAUPAPA/PURPOSE

To consider:

- The findings of an investigator (in relation to a Code of Conduct complaint referred to the Committee) and make recommendations to the Council as to whether or not a penalty or action should be imposed and if so the nature of that penalty or action.
- Any matters relating to the Code of Conduct and/or the behaviour of elected members referred to it by the governing body for advice.

## NGĀ KAWENGA/RESPONSIBILITIES

Responsibilities in line with the Code of Conduct and the complaints investigation procedures.

In fulfilling its purpose, the Committee will:

- In considering a report from the Chief Executive, ask, if necessary, the investigator to provide a briefing on their findings and invite the complainant and/or respondent to speak to any submissions that might have been made;
- Conduct its business in open meeting, except where the alleged breach concerns matters that justify the exclusion of the public, in which case it will be a closed meeting;
- On consideration of the evidence, decide whether a material breach of the Code has occurred and what, if any, penalty or action should occur in response to the breach;

- Ensure that penalties or actions recommended in response to a serious breach of the Code are proportionate to the breach and consistent with the actions set out in clause 13.1 of the Code.

## **NGĀ TUKU MANA/DELEGATIONS**

All powers necessary to perform the Committee's responsibilities except:

- a. Powers that Council cannot lawfully delegate under the Local Government Act 2002.
- b. Where the Committee's responsibility is limited to making a recommendation only.
- c. Establishing subcommittees
- d. Delegating the Committee's responsibilities, duties or powers

## **NGĀ TUKANGA/PROCEDURES**

- Minutes are submitted to Council for receipt
- There will be an appropriate induction for new members of the Committee