

## 22. COMMUNITY BOARD CODE OF CONDUCT

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### 1. PURPOSE

The purpose of this report is to report to the Community Boards on the work carried out by the Joint Community Board Working Party regarding a Community Board Code of Conduct, and to advise of the recommendation of the Working Party that Community Boards adopt the draft Code of Conduct **attached** to this report.

### 2. BACKGROUND

At meetings in July 2004, all six Community Boards resolved to consider a Code of Conduct to apply to Community Boards and resolved to appoint two representatives each to a Joint Community Board Working Party. That Working Party met on Friday, 23 July 2004 and resolved to recommend to each of the Community Boards that the Code of Conduct attached to this report be adopted by those Boards.

### 3. DRAFT COMMUNITY BOARD CODE OF CONDUCT

The attached draft Code is similar to that adopted by the Council. The Working Party's view was that the Community Boards should each have the same Code of Conduct for ease of administration and consistency across the City.

The Code has been adapted to apply specifically to Community Board members.

The Working Party is recommending that the Code contain reference to an Ethics Subcommittee for managing alleged breaches of the Code. The Working Party's view is that the Community Boards should request the Council to enable the Community Boards to utilise the model of a Code of Conduct, with the independent chair of Mr John Gray, but with Community Board members being members of the Subcommittee (other than from the Community Board from where the complaint originated) and that the recommendations of the Ethics Subcommittee be referred back to the relevant Community Board for decision.

This report is being provided to each of the six Community Boards and it will be a matter for decision by each Community Board as to whether or not it wishes to adopt the attached Code of Conduct.

While the Local Government Act 2002 imposes a legal requirement that the Council cannot alter its Code of Conduct other than by a 75% majority of Councillors voting, because the Code does not make it mandatory for Community Boards to adopt a Code of Conduct, then any Code of Conduct adopted by a Community Board can be altered in the future by a majority resolution.

If a Community Board does wish to adopt the Code, then an appropriate resolution could be:

*"That the (name of Community Board) Community Board adopt the attached draft Code of Conduct as its Code of Conduct."*

### Chairman's Comment

The Board already has the use of Council's Standing Orders as a resource providing the Board with meeting procedures that enable it to govern its affairs effectively and to be publicly accountable. The Code of Conduct provides "an enhancement of the effectiveness" of Community Boards, the credibility and accountability of Boards within their communities, and "the facilitation of more effective working relationships".

The Code of Conduct is not the same as Standing Orders but it sets out standards of behaviour expected from individual elected members in the exercise of their duties. The Code of Conduct while being mandatory for the Council, is optional for the Board to adopt.

With the present term of the Board now almost finished, I wonder if the decision on whether or not to adopt a Code of Conduct should be left for the incoming Board.

### Chairman's

**Recommendation:** For discussion.