

## 10 CODE OF CONDUCT REPORT

<b>General Manager responsible:</b>	General Manager Regulations and Democracy, DDI 941-8549
<b>Officer responsible:</b>	Secretariat Manager
<b>Author:</b>	Anusha Guler

### PURPOSE OF REPORT

The purpose of this report is to advise the two Banks Peninsula Community Boards, of the recommendation of the Joint Community Board Working Party that Community Boards adopt the draft Code of Conduct, attached to this report.

### EXECUTIVE SUMMARY

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.

This includes the two additional Community Boards for the Banks Peninsula Ward.

### 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 all the community boards. 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 two Community Boards in Banks Peninsula 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."*

### FINANCIAL AND LEGAL CONSIDERATIONS

There are no financial implications.

### STAFF RECOMMENDATIONS

It is recommended that the Lyttelton/Mt Herbert Community Board adopt the attached draft Code of Conduct as its Code of Conduct.