

**Confidential minutes of the Council meeting
held 16 December 2021****KŌRERO MUNA
PUBLIC EXCLUDED**

12.2 CODE OF CONDUCT – INVESTIGATION: Cr Macpherson

RDC-1208959

Resolved

1. That the report 'Code of Conduct: Investigation: Cr R Macpherson (April – November 2021)' be received.

2.2 That Council note the Audit and Risk Committee have resolved that:

- a. The Mayor shall provide written confirmation of the expected standards of behaviour of an elected member, along with supporting documentation including the Councillor's obligations under legislation including the Local Government Act and the Code.
- b. The Mayor, Chairs and Deputy Chairs undertake additional training on the Standing Orders in order to operate effectively and efficiently within a council or committee meeting as per the LGA (s16) "Members to abide by standing orders.
- c. The Chief Executive's obligations as a PCBU under the Health and Safety at Work Act 2015 be explored with the outcome to provide legal options to the Chief Executive to ensure a safe work place for staff, and contractors in respect of the relationships between elected members and the organisation as an employer. In addition all elected members should be educated as to their responsibility as an employer of the Chief Executive.

Moved: Mayor Chadwick

Seconded: Cr Donaldson

CARRIED**Abstained – Cr Macpherson****The Mayor further resolved****Seconded by Cr Donaldson**

- 2.3 Council direct Cr Macpherson to be required to undertake a refresher course on the code of conduct of elected members. The refresher course to be offered to other elected members and delivered by Equip.

PROACTIVE RELEASE OF COUNCIL MINUTES

AS PER COUNCIL RESOLUTION 16 DECEMBER 2021

- 2.4 Council instruct that a formal apology and retraction be provided to the community by Cr Macpherson and that the apology must be approved by a sub-committee of the Audit and Risk Committee comprising the Chair and Deputy Chair of the Audit and Risk Committee and the Mayor.
- 2.5 That the approved apology is published through formal Council channels recognising the reported harm that the respective posts have caused by no later than 28 January 2022.
- 2.6 That Council agree that failure to complete the requirements of 2.5 in the time proposed, Council will remove Cr Macpherson from the Operations and Monitoring Committee and the Strategy, Policy and Finance Committee.
- 2.7 That Council publically release this report and the Independently commissioned Report through formal Council channels on 16 December 2021.
- 2.8 That Council publically advertise to the community the costs to the ratepayer as a result of dealing with code of conduct complaints irrespective of the type of complaint.
- 2.9 That the minutes relating to this item be made publically available on 16 December 2021.

Moved: Mayor Chadwick

Seconded: Cr Donaldson

CARRIED

Abstained – Cr Kai Fong and Cr Kumar

**13. HE WHAKATAUNGA KIA HURI ATU TE ARONGA O TE HUI HAI HUI TŪMATAWHĀNUI
RESOLUTION TO MOVE OUT OF PUBLIC EXCLUDED**

Resolved

1. That Council Move Out Of Public Excluded Session

Moved: Cr Donaldson

Seconded: Cr Yates

CARRIED

The meeting closed at 1.03 pm

PROACTIVE RELEASE OF COUNCIL MINUTES
AS PER COUNCIL RESOLUTION 16 DECEMBER 2021

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In additional I move the motion 2.3, 2.4, 2.5, 2.6, 2.7, 2.8 and 2.9 as follows

- 2.3 Council direct Cr Macpherson to be required to undertake a refresher course on the code of conduct of elected members. The refresher course to be offered to other elected members and delivered by Equip.**
- 2.7 Council instruct that a formal apology and retraction be provided to the community by Cr Macpherson and that the apology must be approved by a sub-committee of the Audit and Risk Committee comprising the Chair and Deputy Chair of the Audit and Risk Committee and the Mayor.**
- 2.8 That the approved apology is published through formal Council channels recognising the reported harm that the respective posts have caused by no later than 28 January 2022.**
- 2.9 That Council agree that failure to complete the requirements of 2.5 in the time proposed, Council will remove Cr Macpherson from the Operations and Monitoring Committee and the Strategy, Policy and Finance Committee.**
- 2.7 That Council publically release this report and the Independently commissioned Report through formal Council channels on 16 December 2021.**
- 2.10 That Council publically advertise to the community the costs to the ratepayer as a result of dealing with code of conduct complaints irrespective of the type of complaint.**
- 2.11 That the minutes relating to this item be made publically available on 16 December 2021.**