



## DELEGATIONS

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### Part 3

### *Delegation to Committees*

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#### Jurisdiction of the Code of Conduct Committee

##### Scope of Activity

The Code of Conduct Committee has authority to –

- Hear alleged breaches of the Code of Conduct. The Committee will undertake such investigative enquiries as it considers appropriate, including interviews with the alleged transgressor and appropriate members, employees or members of the public.
- Recommend to the Council in respect of alleged breaches, action provided for in the Code of Conduct.

##### Specific Jurisdiction

1. Where an alleged breach of the Code of Conduct is brought to the attention of the Mayor, the Mayor may decide that it is a matter for the Committee's consideration. The Chair will arrange a suitable meeting time for the matter to be heard.
2. At any stage the Committee may consider exercising its powers under section 48 of the Local Government official Information and Meetings Act 1987 (LOGIMA) to exclude the public.
3. The Mayor will be asked to report on the alleged breach, including any evidence the Mayor considers the Committee should take into account.
4. The Mayor may request other parties to present information in relation to the matter under consideration.
5. In the event that the alleged breach relates to the Mayor, the Committee Chair and Chief Executive Officer may engage independent counsel to present the case.
6. Any person against whom an allegation has been made, that person –
  - (a) will be given a reasonable opportunity to respond to the allegation by written submission and appearance before the Committee; and
  - (b) may ask that further witnesses give evidence to the Committee in his or her interest.
7. The Committee shall prepare a report to the Council. The report shall be made available to the person alleged to have breached the Code of Conduct prior to it being circulated to the Council.
8. Committee reports to the Council shall be considered at an in-committee meeting, subject to the provisions of LOGIMA.
9. Should the Mayor and Councillors be unable to hear the matter due to a conflict of interest, the Chief Executive Officer shall engage independent counsel to investigate and report on the alleged breaches in accordance with the guidelines contained in this terms of reference.