



## GENERAL MANAGER'S REPORT

9th August 2005

<b>GM11</b>	<b>CONDUCT COMMITTEE PROCEDURES</b>
<b>FILE: *</b>	<b>AVB</b>
	<b>{ Folio No. * }</b>

### SUMMARY:

To have adopted procedures for the operation of the Kempsey Shire Conduct Committee.



### DESCRIPTION:

The Model Code of Conduct was introduced by the Department of Local Government effective from the 1 January 2005. Council adopted a new Code of Conduct incorporating the Model.

Clause 22 of the Code of Conduct provides for the establishment of a Conduct Committee as a mechanism for dealing with complaints made against a Councillor or the General Manager.

The Model Code of Conduct provisions did not establish procedures for the operation of the Conduct Committee. Although the lack of procedures has been brought to the Minister's and the Department's attention on several occasions, the Department has made no attempt to provide guidance and is leaving the development of procedures for the operation of Conduct Committees to individual Councils.

Draft procedures for Kempsey Shire have been developed by the Conduct Committee comprising the Mayor, Cllr Janet Hayes, Ms Neryl Doney, Solicitor and myself and are submitted for Council's consideration. [\(Appendix E\)](#)

### REPORT IMPLICATIONS:

- *Environmental*

*Nil*

- *Social*

*The adoption of procedures for the Code of Conduct will ensure that procedural fairness is practiced and the parties involved in a complaint are aware of the method of operation of the Committee.*

- *Economic (Financial)*

*Nil*

- *Policy or Statutory*

*Nil*

- *General Manager's Review*

*Nil*

**RECOMMENDATION:**

**That the Conduct Committee Procedures be adopted.**

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**A V Burgess**  
**GENERAL MANAGER**