

QLDC Council
3 September 2020

Report for Agenda Item | Rīpoata moto e Rāraki take: 1

Department: Corporate Services

Title | Taitara Code of Conduct Complaint

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

- 1 The purpose of this report is to consider the recommendation of the Queenstown Lakes District Code of Conduct Committee in relation to two complaints against Councillor Niki Gladding.
- 2 In accordance with the Code of Conduct (December 2019), no further debate in relation to this matter will be entered into at the meeting.

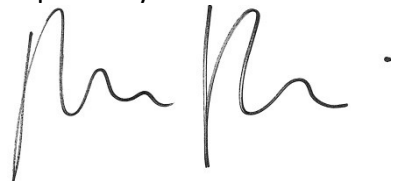
RECOMMENDATION | NGĀ TŪTOHUNGA

That the Full Council:

1. **Note** the contents of this report;
2. **Note** the investigation and report by independent investigator Bruce Robertson and the Code of Conduct Committee's finding that the report was fair and balanced.
3. **Note** that the Code of Conduct Committee found the matter to be of a serious nature and a material breach of the QLDC Code of Conduct, as adopted by all Councillors on 12 December 2019.
4. **Recommend** that the Chief Executive agree with Councillor Gladding on a suitable mentor to assist with development and learning in terms of adhering to good practice (including behaviours and governance) for democratically elected councillors.
5. **Recommend** that the Council removes its support for Councillor Gladding to undertake RMA training, noting that the Councillor will not be eligible to apply for consideration to attend the course for a minimum of 12 months.
6. **Recommend** that all Councillors participate in a workshop to reaffirm the behaviours outlined in the Code of Conduct and to offer a refresh around good governance, within the next 12 months.
7. **Agree** that the Chief Executive be delegated to write a formal letter to Councillor Gladding outlining the decisions of Council in relation to this matter. The letter should acknowledge an early apology to the Mayor and Councillors for her actions.

8. **Agree** that no Councillor will enter into further public comment in relation to this matter.

Prepared by:



Meaghan Miller
GM Corporate Services

11/08/2020

Reviewed and Authorised by:



Mike Theelen
Chief Executive

11/08/2020

CONTEXT | HOROPAKI

- 3 Complaints against Councillor Niki Gladding under the QLDC Code of Conduct were made by Mayor Jim Boulton and Councillor Penny Clark in February 2020 in relation to the release of confidential, draft material to a media outlet.
- 4 As outlined in the independent report by Bruce Robertson (*Code of Conduct Inquiry into the actions of Councillor Niki Gladding Attachment A*), the information was provided in confidence and was subject to change as it was still in a significant stage of development.
- 5 A phrase contained in the working draft was in relation to Wanaka Airport and included the words wide-body jets. The author of the draft was misinformed and therefore the phrase was incorrect and was subsequently removed from the working document. Unfortunately this phrase was published, leaving any reader both misinformed and unnecessarily concerned.
- 6 The complaints were initially considered by the Deputy Mayor Calum MacLeod and the Chief Executive, as prescribed by the Code (the Deputy Mayor must assume the role in the event the complaint is from or about the Mayor).
- 7 The allegations were found to be accurate and of a material nature and an investigator duly appointed by the Chief Executive. Bruce Robertson was appointed as a member of the Otago combined council list of independent investigators for Code of Conduct matters.
- 8 Mr Robertson interviewed all the relevant parties and reviewed all the documentation and emails that were relevant to the alleged breach. A copy of his draft findings were also provided to Councillor Gladding for comment. Mr Robertson also had his own report and evaluation independently peer reviewed.
- 9 At a meeting of the Code of Conduct Committee on Tuesday 11 August 2020, the committee resolved the following:
 - a. To note the contents of the report and agree that the report be publicly released.
 - b. Agree the matter constituted a material breach.
 - c. To make a recommendation on a sanction and actions in relation to the breach.
 - d. Instruct the Chief Executive to report the findings of the Code of Conduct Committee to Council.
- 10 The Code of Conduct Committee acknowledged that Councillor Gladding had proactively sought to take responsibility for the release of confidential material at the earliest opportunity and apologised to her fellow Councillors.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

- 11 The QLDC Code of Conduct is **Attachment B**.

ATTACHMENTS | NGĀ TĀPIRIHANGA

A	Code of Conduct Inquiry into the actions of Councillor Niki Gladding
B	Code of Conduct