

Councillor Conduct Tribunal decision

10 May 2019

Key issue: Conflict of Interest: \$200 donation in 2016 triggers need to declare a conflict of interest in 2018 consideration of council contract for donor.

In 2016, a donor contributed \$200 to the 2016 election campaign of a group of candidates.

The Mayor and two councillors were referred to the Councillor Conduct Tribunal for failing to declare a conflict of interest in 2018 when council voted to award the donor a construction contract for extensions to a council facility.

The Mayor stated he identified his failure to declare a conflict of interest within 24 hours and took appropriate steps to correct his actions, and the actions of others. The Tribunal accepted this as a mitigator factor for the Mayor.

The Tribunal noted it was clear none of the councillors had an effective process in place to identify conflicts of interest. It strongly recommended that the Mayor and other councillors work with the CEO to develop and adopt a robust process to ensure conflicts of interest are identified in the future.

The Tribunal noted it is reasonable that the Mayor be held to a higher standard of conduct.

The Tribunal's orders took into account the full and early co-operation of the Mayor and two councillors with the OIA, which saved the OIA the cost of a full investigation.

All councillors were ordered to make a public admission at council meetings that they had engaged in misconduct; two of the councillors were also ordered to pay \$100 each to the council. No further order was made against the Mayor.

Although the Tribunal noted the Mayor is to be held to a higher standard of conduct, in this case, the Tribunal acknowledged that the Mayor had quickly reported and rectified the issue and but for the Mayor's identification of the conflict the following day, the decision may have gone unchallenged.

Councillor Conduct Tribunal decisions can be found [here](#).